

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/12/2019 1:38:21 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]
Subject: RE: CEI Response Draft
Attachments: CEI_RFC_9_11_19_clean.docx

Now that OMS confirmed the date and their office-specific info, I took out the yellow highlight if you'd like for Chris to use this one to forward on to Anne..

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Wednesday, September 11, 2019 4:00 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: CEI Response Draft

Chris,

Attached is the draft version of our response to the RFC submitted by CEI. Below you will also find a draft email to Anne. Let me know if you have any questions or suggested edits.

Paul

Anne,

Attached you will find OAP's recommended response to Competitive Enterprise Institute's (CEI) request for correction (RFC) regarding EPA's 2009 GHG Endangerment Finding and Technical Support Document. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you are any questions or comments.

Thank you,

Chris

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 7/25/2019 7:57:15 PM
To: Williams, Melina [Williams.Melina@epa.gov]
CC: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: Re: Kirby, Kevin shared the folder "RFC 19002 - Endangerment Finding" with you.

I just looked at my notes this morning. He said that a response should go back to CEI by Sept 30. ...

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jul 25, 2019, at 3:50 PM, Williams, Melina <Williams.Melina@epa.gov> wrote:

Hi all, do you recall what timeline Kevin had established for our draft response? As you know, I'll be out

Ex. 6 Personal Privacy (PP)

Thanks,
Melina

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Kirby, Kevin
Sent: Thursday, July 25, 2019 3:41 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: Kirby, Kevin shared the folder "RFC 19002 - Endangerment Finding" with you.

Colleagues,

Here is the OneDrive folder I established as our reference 'sand box' in developing the response to this Request for Correction challenging the GHG Endangerment Finding. I have included a copy of the submitted RFC as well as an excellent response example developed by our colleagues in the IRIS Program responding to an RFC dealing with the toxicological value of chloroprene. If any question arise, don't hesitate to call or email me! Kevin

— This link only works for the direct recipients of this message.



RFC 19002 - Endangerment Finding

Open

—
Microsoft respects your privacy. To learn more, please read our [Privacy Statement](#).
Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/12/2019 4:52:50 PM
To: Williams, Melina [Williams.Melina@epa.gov]
CC: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: response to CEI's RFC

That seems fine.
Rona

From: Williams, Melina <Williams.Melina@epa.gov>
Sent: Thursday, September 12, 2019 12:28 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: response to CEI's RFC

Thanks, Rona. Would it work for your schedule if I asked Justin for any feedback by Monday morning (9/16)?

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Thursday, September 12, 2019 11:52 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>
Subject: response to CEI's RFC

Hi All, attached is OAP's response to CEI's RFC that has now been shared with our acting AA and DAA. Just want to make sure that you all have the latest draft and thanks so much for your review and input. The current plan is to get this more formally over to OMS by/on September 18 so that Kevin K can initiate the OMB review process.
Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 7/26/2019 5:11:02 PM
To: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: early draft to RFC
Attachments: CEI_RFC_notes_JM.rb.docx

I took what Marcus and you initially draft as points and put into this letter format - - informed by Kevin Kirby's example.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Wondering if you could give this just a very quick skim today so that we can get any early insights from Melina before she heads off on vacation? She'll see it again later, but I'd like her to have a chance to inform this process early too.
Thanks! Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/12/2019 2:38:32 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: CEI_RFC_9_11_19_clean.docx; ATT00001.htm

Marcus and Jeremy, for your records, this email formally transmitted OAP's response to CEI's RFC. I'm also going to share it (with the yellow highlights removed) with the team.

Rona

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Thursday, September 12, 2019 10:26 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

FYI.....Chris sent this last night. He has a meeting with Anne today and I told him to mention that we also got a similar request from Murry Energy and we will be following up with a similar response in a week or two.

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 10/4/2019 6:02:23 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: Re: RFC 19002 Endangerment Finding: CEI input this week...

Ok thanks for letting me know. It's still at the AA's office hopefully I'll hear something soon.
have a nice weekend, Rona

Sent from my iPhone

On Oct 4, 2019, at 1:32 PM, Kirby, Kevin <KIRBY.KEVIN@epa.gov> wrote:

On another related point, I received a call from CEI asking about our response. My Director got a call earlier this week as did OMB.
We all look forward to seeing this move beyond your IO's desk.
Thanks for all you're doing!
KjK

From: Kirby, Kevin
Sent: Friday, October 4, 2019 1:12 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

Hi Rona,
Thanks for catching the omission of the document on our website!
Give me a day or two to let content cycle up to the website. I'll send you a link once it's visible...
Have a great weekend!
KjK

From: Nazario, Aldo <Nazario.Aldo@epa.gov>
Sent: Friday, October 4, 2019 11:42 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: RE: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

This is done

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Friday, October 4, 2019 11:21 AM
To: Nazario, Aldo <Nazario.Aldo@epa.gov>
Subject: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

Hey Aldo,
Here's a suggested blurb to describe this 3rd party contribution...

•Third Party Correspondence to RFC #19002 - Greenhouse Gas (GHG) Endangerment Finding; Murray Energy Corporation in support of RFC, received July 30, 2019

Thx!
KjK

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/19/2019 9:35:14 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]; Allison Crimmins (crimmins.allison@epa.gov) [crimmins.allison@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: CEI_RFC_9_11_19_clean.docx; ATT00001.htm

Just FYI, keeping you both in the loop as we wait for the go-ahead to forward to OMS. (this is the same recommended draft you already have from last week)

Rona

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Thursday, September 19, 2019 4:33 PM
To: Woods, Clint <woods.clint@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

Clint

Per your request below is what Chris sent to Anne

Let me know if you have any questions

Thanks

Paul

Sent from my iPhone

Begin forwarded message:

From: "Grundler, Christopher" <grundler.christopher@epa.gov>
Date: September 11, 2019 at 8:32:03 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>
Cc: "Harlow, David" <harlow.david@epa.gov>, "Gunning, Paul" <Gunning.Paul@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>, "Shaw, Betsy" <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/4/2019 2:12:07 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: Re: Murray Energy Request for Correction

Ok, thanks Kevin.

Sent from my iPhone

On Nov 4, 2019, at 9:09 AM, Kirby, Kevin <KIRBY.KEVIN@epa.gov> wrote:

Thanks for the update and for keeping these responses at the fore of your front office, Rona
Just so that you're aware, during my weekly update with management last week I reported that the response to CEI seemed to be stalled on your AA's desk. Hopefully, this note and encouragement from Chris helps Anne keep the process going!

KJK

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, November 1, 2019 11:26 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>
Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: Fwd: Murray Energy Request for Correction

Hi folks, passing along OAP's draft response to Murray Energy's RFC - it is now with Anne Idsal for review.

Thank you for your review and input. We'll keep you posted.

Have a nice weekend, Rona

Sent from my iPhone

Begin forwarded message:

From: "Gunning, Paul" <Gunning.Paul@epa.gov>
Date: November 1, 2019 at 9:55:31 AM EDT
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Subject: FW: Murray Energy Request for Correction

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, November 01, 2019 9:44 AM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Harlow, David <harlow.david@epa.gov>
Subject: Murray Energy Request for Correction

Anne,

As I mentioned in our one on one last Friday, we have been working with OGC and OMS on a response to the Murray Energy request for correction (RFC) on the agency's 2009 endangerment finding and technical support document for GHGs. Attached you will find OAP's recommended response along with the original Murray Energy RFC. Please note that this RFC largely reiterates many of the issues introduced by CEI in their RFC that was submitted back in May.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/4/2019 7:49:05 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]
CC: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]
Subject: Fwd: RFC #19002 - Greenhouse Gas Endangerment Finding

Any thoughts on a suggested response?..this is all we know so not sure what else we can say. Here is my suggestion:

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Date: November 4, 2019 at 2:36:39 PM EST
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Cc: "Gonder, Sharon" <Gonder.Sharon@epa.gov>, "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>, "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Subject: RFC #19002 - Greenhouse Gas Endangerment Finding

Hi Rona - - I'm reaching out to you as requested by Kevin Kirby to check on the status of the response for RFC #19002. In addition, today I received a call from the requestor, Devin Watkins checking on the status of a response from EPA.

We are currently showing the status as awaiting response from OAR management. Any information you can provide us would be greatly appreciated. If you have any questions please don't hesitate to call me at the number below.

Thank you!

Regards,
Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511

Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/18/2019 9:10:26 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; ATT00001.htm; 11-18-2019 Redline CEI Letter dsl.docx; ATT00002.htm

Let's please have a look and a quick conversation to review

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Monday, November 18, 2019 4:08 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Looks like David H. had a similar comment to mine. Lets try and turn this around quickly.

Thanks

Paul

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Monday, November 18, 2019 3:58 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

I can't read redline on my phone. Pls review and loop in OGC. Let me know nature if edits. Thx

Sent from my iPhone

Begin forwarded message:

From: "Cory, Preston" <Cory.Preston@epa.gov>
Date: November 18, 2019 at 8:32:00 PM GMT+1
To: "Harlow, David" <harlow.david@epa.gov>, "Grunder, Christopher" <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460

Redacted
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)
Redacted (mobile)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne

<Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/18/2019 10:36:08 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
CC: Suzie Kocchi (kocchi.suzanne@epa.gov) [kocchi.suzanne@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: Comments from OAR on CEI RFC response
Attachments: 11-18-2019 Redline CEI Letter dsl.rb.docx

Paul, David's comments were straight-forward and easily addressed. I sent the track version to the folks who were previously involved in reviewing to see his suggestions. I asked them to get back to me on Tuesday.
Rona

From: Birnbaum, Rona
Sent: Monday, November 18, 2019 5:32 PM
To: Williams, Melina <Williams.Melina@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Jeremy Martinich (martinich.jeremy@epa.gov) <martinich.jeremy@epa.gov>
Subject: Comments from OAR on CEI RFC response

Melina, Tracy, Kevin: we have received some comments from our front office. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Please have a look and let me know on Tuesday (11/19) if you have anything further.

Thanks so much, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/20/2019 5:22:55 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]
Subject: RE: revised response to CEI RFC

Ex. 5 Deliberative Process (DP)

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Wednesday, November 20, 2019 12:21 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: revised response to CEI RFC

Do we need signature before we send to OMB?

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, November 20, 2019 12:20 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Subject: revised response to CEI RFC

Paul, attached please find the response to CEI's RFC in track-changes and a clean copy.

Two remaining questions: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/21/2019 7:27:13 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: dshComment Replies 11-18-2019 Redline CEi Letter dsl.rb.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Harlow, David" <harlow.david@epa.gov>
Date: November 21, 2019 at 2:22:45 PM EST
To: "Gunning, Paul" <Gunning.Paul@epa.gov>
Cc: "Cory, Preston" <Cory.Preston@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>, "Shaw, Betsy" <Shaw.Betsy@epa.gov>, "Grundler, Christopher" <grundler.christopher@epa.gov>, "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>, "Williams, Melina" <Williams.Melina@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Paul,

I'm sorry it's taken me all day to get to this, but, yes, this looks fine to Preston and me as revised. Attached, for what it's worth, are my very brief replies to the bubbled comments from Rona and Melina (I've added Melina to this email accordingly).

Ex. 5 Deliberative Process (DP)

We thank you for all your good work on this.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460

Redacted

Harlow.David@epa.gov

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Wednesday, November 20, 2019 6:54 PM
To: Harlow, David <harlow.david@epa.gov>
Cc: Cory, Preston <Cory.Preston@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Re: Draft Response to CEI's "Request for Correction" under Information Quality Act

Thanks David!

Sent from my iPhone

On Nov 20, 2019, at 4:49 PM, Harlow, David <harlow.david@epa.gov> wrote:

Paul,

Thank you. Preston is out of the office today, and I may not be able to get to this before the end of the day, but I'll commit us to take a look and sign off by tomorrow at the latest.

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 20, 2019, at 1:15 PM, Gunning, Paul <Gunning.Paul@epa.gov> wrote:

Preston

Attached is the revised CEI letter - clean and redline versions. We incorporated all of David's edits and suggestions (which were excellent) and we clarified the text on page 3 to address the comment. If you guys

Ex. 5 Deliberative Process (DP)

block. Just let us know how you want to handle and we can move it forward.

Thanks!

Paul

From: Cory, Preston <Cory.Preston@epa.gov>
Sent: Monday, November 18, 2019 4:15 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

All- please find attached the revised CEI letter. A redline and clean version are included.

Thanks,
Preston

From: Cory, Preston
Sent: Monday, November 18, 2019 2:32 PM
To: Harlow, David <harlow.david@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K

1200 Pennsylvania Avenue NW
Washington, DC 20460

Redacted

Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Redacted (mobile)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

<11-20-2019 CEI letter.clean.docx>

<11-18-2019 Redline CEi Letter dsl.rb.docx>

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 11/25/2019 6:58:04 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
Subject: CEI RFC status

Paul, just fyi that I heard from Leif just a little while ago ..he mentioned the CEI RFC, as well as the Murray Energy one that is connected, at this morning's senior management meeting

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 10/30/2019 2:45:50 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: Murray Energy IQA RFC
Attachments: Murray_RFC_10_15_19.clean.docx; 7-30-19 Murray Energy IQA RFC.PDF

FYI...looks like Chris will be sending the draft to Anne I shortly...
I'll share the email from Chris with the larger group whenever I get it.

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Wednesday, October 30, 2019 10:27 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Murray Energy IQA RFC

Chris – thanks for your review of the Murray Energy IQA RFC response. Attached is our final draft that is ready for Anne's review along with a draft transmittal note (below). I included a mention of the status of the CEI RFC as well (I wasn't sure if you wanted to include that here or not)

Let me know if you need anything else.

Thanks

Paul

Anne,

As I mentioned in our one on one last Friday, we have been working with OGC and OMS on a response to the Murray Energy request for correction (RFC) on the agency's 2009 endangerment finding and technical support document for GHGs. Attached you will find OAP's recommended response along with the original Murray Energy RFC. Please note that this RFC largely reiterates many of the issues introduced by CEI in their RFC that was submitted back in May.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 12/12/2019 3:08:12 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
Subject: FW: Response to CEI's "Request for Correction" under Information Quality Act

fyi

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Thursday, December 12, 2019 10:02 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Rimer, Kelly <Rimer.Kelly@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Good Morning Leif,
I am under increased pressure from my management to get these IQG responses out. This included both the Endangerment Finding (RFC 19002) and EtO (RFC 18003). Please provide me a status update on these.
Thanks,
Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin
Sent: Thursday, December 5, 2019 6:29 PM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Thanks, Leif!
I appreciate that.
KjK

From: Hockstad, Leif <Hockstad.Leif@epa.gov>
Sent: Thursday, December 5, 2019 6:28 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Re: Response to CEI's "Request for Correction" under Information Quality Act

Kevin - I am going to ask for an update at tomorrow morning's senior management meeting. This is a hard spot for you and appreciate your patience with us. I will be in touch.

Thanks,
Leif

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Thursday, December 5, 2019 6:05 PM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Leif,
I'm receiving increased flak from my management on getting this response out.
The requester is continuing to hound us with inquiries going ever higher.
I have a meeting with the CIO early Monday.
What can I tell him regarding the status on this response?
KjK

From: Kirby, Kevin
Sent: Monday, November 25, 2019 9:40 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Got it.
Will stand by...
KjK

From: Hockstad, Leif <Hockstad.Leif@epa.gov>
Sent: Friday, November 22, 2019 10:31 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Kevin –

Thank you for your understanding. I will try to get a clearer sense from the OAR front office on what they are aiming to do before we press the "go" button.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I will confirm our next steps and let you know how to keep things moving. I appreciate your patience and will be in touch soon.

Thanks,
Leif

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Friday, November 22, 2019 10:13 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

You bet. Ex. 5 Deliberative Process (DP)

Please let me know as soon as this clears as it is already late in getting this response out.

Thanks Leif!

Kevin

From: Hockstad, Leif <Hockstad.Leif@epa.gov>

Sent: Friday, November 22, 2019 9:57 AM

To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Cc: Crimmins, Allison <Crimmins.Allison@epa.gov>

Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Importance: High

Kevin –

Ex. 5 Deliberative Process (DP)

Please let me know if you have any immediate questions or if we should be aware of anything as we try to get this communicated around.

Thanks,

Leif

LEIF HOCKSTAD | LEADER, POLICY SUPPORT GROUP

OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)

OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442B

1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA

Hockstad.Leif@epa.gov | 1-202-343-9432

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>

Sent: Friday, November 22, 2019 8:58 AM

To: Williams, Melina <Williams.Melina@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>

Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Subject: FW: Response to CEI's "Request for Correction" under Information Quality Act

Hi folks, want to make sure you all have the version that I just forwarded to Kevin to move forward in the IQA process.

Thanks for your review and input!

Rona

From: Birnbaum, Rona

Sent: Friday, November 22, 2019 8:54 AM

To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Cc: Paul Gunning <Gunning.Paul@epa.gov> <Gunning.Paul@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Harlow, David <harlow.david@epa.gov>; Cory, Preston <Cory.Preston@epa.gov>; Suzie Kocchi <kocchi.suzanne@epa.gov> <kocchi.suzanne@epa.gov>

Subject: Response to CEI's "Request for Correction" under Information Quality Act

Hello Kevin, attached is the response to CEI's request for correction. It's been reviewed by OAR's front office and is ready to move on to the next step in the process. Please let us know if you have any questions. Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 1/6/2021 5:19:21 PM
To: Williams, Melina [Williams.Melina@epa.gov]
Subject: FW: Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-22-2019 CEI letter.docx

This is the response to CEI's Request for Correction that has been in OAR front office since Nov.,2019.

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 1/29/2021 2:39:46 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Subject: RE: Information Quality Act - Responding to Request for Corrections



From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Friday, January 29, 2021 9:38 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Information Quality Act - Responding to Request for Corrections

That EGMD is eager to move these might be an understatement. =)

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, January 29, 2021 9:35 AM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: RE: Information Quality Act - Responding to Request for Corrections

THANK YOU SO MUCH!!! that was perfect. I made only a few small changes and just forwarded it to Paul.

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Thursday, January 28, 2021 7:42 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Information Quality Act - Responding to Request for Corrections

Hi Rona,

Here's my first draft. Note also that the CEI RFC came in one and a half years ago, not last year.

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Thursday, January 28, 2021 5:54 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: FW: Information Quality Act - Responding to Request for Corrections

I'm trying to find the email we all got with the official signature line for Joe Goffman... so that can be added here

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Tuesday, January 26, 2021 9:53 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Information Quality Act - Responding to Request for Corrections

Chris - Now that the new team is in place we would like to try and move forward to clear the deck of the 2 RFCs that came in last year. The first, from CEI, we received back in May and focused on the Endangerment

Finding. The second came from Dr. Tinker and focused on the use of the term "Greenhouse Effect" on our website. I have attached our draft responses as well as the incoming for the Tinker response.

As a next step, we will need to revisit our drafts and update accordingly (the Tinker response is straight forward but I want to take a closer look at the CEI response) If it is OK with you, Rona and I can then work with OAPPS to get these through OAR and over to EQMD (information quality office) for transmission to OMB. OMB will then review and send back to EPA/OAR for AA signature.

Let me know if this sounds OK or if you want to discuss further/handle differently.

Thanks!!

Paul

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 1/29/2021 4:07:06 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]
Subject: RE: RFCs 1-pager

Ex. 5 Deliberative Process (DP)

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Friday, January 29, 2021 10:00 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Re: RFCs 1-pager

Ex. 5 Deliberative Process (DP)

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, January 29, 2021 9:51 AM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Subject: RE: RFCs 1-pager

Paul, flagging this one issue relating to Submission from numerous States Attorneys General and from EDF on the CEI RFC.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

We'd want to run by her any change in that approach.

Thanks, Rona

From: Birnbaum, Rona
Sent: Friday, January 29, 2021 9:34 AM
To: Paul Gunning (Gunning.Paul@epa.gov) <Gunning.Paul@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Jeremy Martinich (martinich.jeremy@epa.gov) <martinich.jeremy@epa.gov>
Subject: RFCs 1-pager

Paul, see attached 1-pager for Chris and then for Joe. Let us know if anything further is needed.
Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 2/1/2021 8:54:26 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]; Allison Crimmins (crimmins.allison@epa.gov) [crimmins.allison@epa.gov]
CC: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Hartin, Corinne [Hartin.Corinne@epa.gov]
Subject: FW: Status: Response to Request for Corrections under the Data Quality Act
Attachments: RFC_summaries.1.29.21.docx

Hi Leif and Allison, wanted to make you aware of this email that Chris sent to Joe with status of the two RFC responses that we drafted. In the next email, I'll forward to you the response to Dr Tinker's RFC. Let us know what the next steps are as we're fine with that one going to Robert Tallent in EQMD so he can get it over to OMB for review. (Obviously, if Joe wants to review before it goes over, that is his choice but we didn't think it was necessary.)

We are going to take another look at the other RFC response (CEI) and may suggest a few small changes. If so, we'll resend that through the review team with Tracy Sheppard and Melina Williams from OGC, Allison, EQMD, etc. Joe will probably want to review that one before it goes to OMB.

Thanks, Rona

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, January 29, 2021 2:49 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Status: Response to Request for Corrections under the Data Quality Act

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP. **Ex. 5 Deliberative Process (DP)**

As promised, attached is the one pager that provides a summary of the two RFCs and our response, and a refresher on the process. We are reviewing and updating the responses, and will plan on working with John Shoaff and his staff for OAR review, and then on to the Office of Mission Support (OMS) to clear and get our draft responses over to OMB for review. After review, they come back to us to review any OMB comments, and then to you for signature.

Ex. 5 Deliberative Process (DP)

Thanks

Chris

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343.9140 (o)
Ex. 6 Personal Privacy (PP) (m)

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 2/1/2021 9:15:45 PM
To: Lisa Bacanskas (bacanskas.lisa@epa.gov) [bacanskas.lisa@epa.gov]
Subject: For Branch Files Status: Response to Request for Corrections under the Data Quality Act
Attachments: RFC_summaries.1.29.21.docx

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, January 29, 2021 2:49 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Status: Response to Request for Corrections under the Data Quality Act

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP. **Ex. 5 Deliberative Process (DP)**

As promised, attached is the one pager that provides a summary of the two RFCs and our response, and a refresher on the process. We are reviewing and updating the responses, and will plan on working with John Shoaff and his staff for OAR review, and then on to the Office of Mission Support (OMS) to clear and get our draft responses over to OMB for review. After review, they come back to us to review any OMB comments, and then to you for signature.

Ex. 5 Deliberative Process (DP)

Thanks

Chris

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343.9140 (o)

Ex. 6 Personal Privacy (PP) (m)

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 2/19/2021 1:59:21 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
CC: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: please send me latest CEI RFC draft response

Hi Marcus, I'm pretty sure you sent me something a while ago (with the added text referring the 3rd party letters) and I cannot put my fingers on it. Now that a decision on how to proceed with the other CEI action, I want to get started moving forward on the RFC [again]. Thanks! Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 3/1/2021 5:19:39 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: RE: IQG update... RFC 19002

Great and thanks! see you in the courtyard...some time ☺Rona

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Monday, March 01, 2021 11:52 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: IQG update... RFC 19002

Hi Rona,
Great catching up with you!
Thanks for keeping your shoulder to task on the RFC response.
I meant to cc: you on this note I provided to Katherine. I just wanted to give her a heads-up on this open RFC request.
Stay well and don't hesitate to give me a ping if you have any questions.
KjK

From: Kirby, Kevin
Sent: Monday, March 1, 2021 10:47 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: IQG update... RFC 19002

Hi Katherine,
I hope that you and your family are staying healthy and that your IQG load is light!
I want to give you a 'heads up' on one of the outstanding RFC cases (RFC 19002), dealing with the Greenhouse Gas endangerment finding. I got a call today from Rona Birnbaum who lead the development of the draft response. In a BLUF, the outgoing Administration never signed off on the draft response. So they're preparing to take it through the final leg of the signing process.
I relayed that I no longer manage the IQG portfolio and differed speaking on behalf of the EQMD, suggesting that Rona speak with you for any process or administration questions concerning the IQGs.
Here's how I framed it in my last **IQG Update to you in April of 2020...**

Status/Updates on Open RFC Cases

Summary / Status:

- **RFC #19002, Greenhouse Gas (GHG) Endangerment Finding** – This RFC challenges the 2009 Greenhouse Gas (GHG) Endangerment Finding and supporting Technical Support Document (TSD). Two (2) separate submissions of supplemental information by third-parties submitted to EPA: One by a consortium of 12 State Attorney Generals, the other by Environmental Defense Fund. Draft Response prepared by OAR on 8/30/2019. Reviewed by Scoping Team 9/6/2019. Released by OAR IO on 11/19/2019. Currently stalled in OAR IO pending input from Administrator's Office – *held up for 15 weeks now.*

I'd be happy to dust off this case and offer an overview for you if you wish as I took this case through the Scoping Team and response development review process.

All the best!

KjK

Kevin J. Kirby

Information Strategist

US Environmental Protection Agency

OMS-EI/OEIP/ERMD

202 566-1656 desk

Ex. 6 Personal Privacy (PP) cell



Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 3/2/2021 12:16:37 PM
To: Tallent, Robert [Tallent.Robert@epa.gov]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: Re: RFC #19002

Great! Happy to work together again Bob!
Thanks, Rona

Sent from my iPhone

On Mar 2, 2021, at 7:04 AM, Tallent, Robert <Tallent.Robert@epa.gov> wrote:

Hi Rona,

Great to see that we are again moving on RFC 19002!

I will schedule a Scoping Team meeting within the next week as everyone's calendar permits.

Looking forward to wrapping this one up.

Thanks for all you do for Quality!

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller

<image002.jpg>

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Monday, March 1, 2021 5:58 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC #19002

Hi Rona - - Thank you for reaching out to me. Bob Tallent is our IQG Program Lead and will be in touch with you tomorrow so we get close out this RFC.

Thanks again and Bob will be in touch. Stay well!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)

<image001.png>

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, March 1, 2021 5:34 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RFC #19002

Hello Katherine, hope all is well. I'm reaching out to you regarding a RFC (#19002) received in 2019. A response was prepared and cleared by the review team (lead by Kevin Kirby who I understand is no longer with your group). The draft response remained with the OAR front office and therefore, was never sent over to OMB. The topic is the GHG Endangerment Finding.

At this time, we have made a few additional suggestions to the draft response and would like to bring back the review team to have another look before we send it up for OAR approval prior to sending on to OMB.

(The team make-up included from OAR Climate Change Division: Rona Birnbaum, Marcus Sarofim, Jeremy Martinich, from OAR OAPPS: Leif Hockstad, Allison Crimmins, from OGC: Tracy Sheppard and Melina Williams.)

Please let me know with whom I should be working with on this?

Thanks, Rona

Rona Birnbaum
Chief, Climate Science and Impacts Branch
Climate Change Division, OAP/OAR
202-343-9076 (office)
Ex. 6 Personal Privacy (PP) {cell}

Appointment

From: Birnbaum, Rona [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e09449084a84b05bc34f43b76ca8dbc-RBIRNBAU]
Sent: 3/2/2021 1:46:40 PM
To: Tallent, Robert [Tallent.Robert@epa.gov]
Subject: Accepted: RFC 19002 - Endangerment Finding Scoping Team
Location: Microsoft Teams Meeting
Start: 3/8/2021 8:00:00 PM
End: 3/8/2021 9:00:00 PM
Show Time As: Busy

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 3/15/2021 1:17:15 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
CC: Schmeltz, Rachel [Schmeltz.Rachel@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: RFC 19002 - GHG Endangerment Finding
Attachments: CEI RFC response letter.3.12.21.clean.docx; rfc_19002_-_endangerment_cei.pdf

Paul, attached is the draft response to CEI's RFC. (The 2019 RFC is also attached.)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

This is ready to go to Chris and then over to Joe for review (but no signature yet) before EQMD sends to OMB for their review. EQMD will wait for our go-ahead to send to OMB.

Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 5/15/2019 8:11:13 PM
To: Martinich, Jeremy [Martinich.Jeremy@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Subject: Fwd: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Sent from my iPhone

Begin forwarded message:

From: "Dunham, Sarah" <Dunham.Sarah@epa.gov>
Date: May 15, 2019 at 3:39:19 PM EDT
To: "Gunning, Paul" <Gunning.Paul@epa.gov>, "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>, "Krieger, Jackie" <Krieger.Jackie@epa.gov>, "Clarke, Deirdre" <clarke.deirdre@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

This email was sent to Kathryn Sargeant and Tom Eagles. I was cc'd.

From: Kirby, Kevin
Sent: Wednesday, May 15, 2019 3:24 PM
To: Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>
Cc: Schenk, Ruth <schenk.ruth@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Colleagues,

A new Request for Correction (RFC #19002) was submitted this week under the Agency's Information Quality Guidelines which challenges the 2009 GHG Endangerment Finding; information that your office may have disseminated. I've included a link below to the RFC and related artifacts.

Ex. 6 Personal Privacy (PP)

Here's the folder that Kirby, Kevin shared with you.



This link will work for anyone in Environmental Protection Agency (EPA).



RFC 19002 - Endangerment Finding

Open

At this early juncture, I'm trying to determine who the 'Information Owners' are in the Agency and get a list of the right SMEs together that would be part of the Scoping Team to consider this request. Please let me know if this IQG case lands in your arena and who you would like to include in deliberations for developing the response.

Also, to your knowledge, was anyone in ORD involved in the peer review process that is referenced in the request?

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin **On Behalf Of** Quality
Sent: Tuesday, May 14, 2019 11:05 AM
To: 'Devin Watkins' <Devin.Watkins@cei.org>
Cc: Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Dear Mr. Watkins,

Thanks you for your submittal of a request for correction regarding information the Agency disseminated concerning the 2009 GHG Endangerment Finding and supporting Technical Support Document.

In accordance with EPA's Information Quality Guidelines (IQGs), we are assigning a unique tracking number to your request: **RFC #19002**. Please use this number in all future correspondence to the Agency concerning this request.

Our target due date to provide you with a response or a status update is Sept. 18, 2019, which is 90 business days from the date you submitted your request.

We appreciate your attention to quality information!
EPA Quality Staff

From: Devin Watkins <Devin.Watkins@cei.org>
Sent: Monday, May 13, 2019 11:26 AM
To: Quality <Quality@epa.gov>
Subject: Request for Correction Concerning 2009 Endangerment Finding

Dear Vincia Holloman and Information Quality Guidelines Processing Staff,

Please see attached for the Request for Correction that we are hereby submitting under the Information Quality Act.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor
Washington, DC 20005
202-331-2278

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 8/9/2019 9:30:42 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: Re: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Kevin, did you send the letter from states over to me?

Sent from my iPhone

On Aug 9, 2019, at 5:15 PM, Birnbaum, Rona <Birnbaum.Rona@epa.gov> wrote:

Apparently we're getting popular ...
have a nice weekend! Rona

Sent from my iPhone

Begin forwarded message:

From: Quality <Quality@epa.gov>
Date: August 9, 2019 at 4:05:51 PM EDT
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Subject: FW: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Hi Rona,
The good news is that it can't ALL be bad....
Here's a recent submittal by a consortium of State Attorneys General offering a counter to the CEI RFC. Seems that this group is opposed to CEI's RFC...
My head hurts,
Hope that yours is doing better!
Kevin

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV> On Behalf Of Quality
Sent: Friday, August 9, 2019 3:59 PM
To: Herzog, Megan (AGO) <megan.hertzog@state.ma.us>
Cc: Quality <Quality@epa.gov>
Subject: RE: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Dear Ms Herzog,

Thank you for your recent submission of information related to EPA's Greenhouse Gas Endangerment Finding. In recognition that your submittal counters the analysis and request for correction presented by the Competitive Enterprise Institute in its May 13, 2019 submission to EPA, we will be administering your submittal as supplementary information to this previously submitted request. For tracking purposes we have assigned the unique identifier of RFC #19002 to this case. Please reference this ID number for all future communications in connection with this case. Our target date for response is Sept. 18, 2019 which corresponds to 90 days from the date EPA received the Request for Correction (RFC #19002) from CEI.

Thank you for your support and attention to EPA's information quality!

EPA Quality Staff

From: Herzog, Megan (AGO) <megan.herzog@state.ma.us>
Sent: Wednesday, August 7, 2019 4:43 PM
To: Quality <Quality@epa.gov>
Cc: Courchesne, Christophe (AGO) <christophe.courchesne@state.ma.us>
Subject: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Dear Sir or Madam:

Attached please find an electronic copy of correspondence from the Attorneys General of Massachusetts, California, Connecticut, Delaware, Illinois, Maryland, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia, and the California Air Resources Board regarding the Competitive Enterprise Institute's May 13, 2019 request for correction under the Information Quality Act (RFC 19002).

A hard copy will follow by U.S. mail.

Please do not hesitate to reach out to me with any questions or concerns regarding this matter. Thank you for your attention.

Sincerely,

Megan M. Herzog
Special Assistant Attorney General
Environmental Protection Division
Massachusetts Office of the Attorney General
One Ashburton Place
Boston, MA 02108
(617) 963.2674
Megan.Herzog@mass.gov

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 8/13/2019 4:54:54 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
CC: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: 2-pager draft for tomorrow w/Chris
Attachments: CEI_only_RFC_8_12_19.rb.clean.docx; CEI_Murray_RFC_twopager.8.13.19.docx

Paul attached are the 1) 2-pager to use in tomorrow's overview with Chris and 2) our first cut at the response to CEI's RFC.

This version also reflects

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

For tomorrow, please let us know if there is anything we need to change so that we can make the 4:00 deadline for giving Chris materials ahead of time. I just remembered that deadline so my apologies for getting the 2-pager to you late.

In addition to the 2-pager, we'll plan to also give him a copy of the CEI RFC as well a copy of the State AGs letter.
Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 6/18/2019 3:39:06 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

FYI – still waiting on this initial scoping meeting to be set up

From: Eagles, Tom
Sent: Tuesday, June 18, 2019 9:54 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Good news -- see Kevin's reply below.

From: Kirby, Kevin
Sent: Tuesday, June 18, 2019 9:48 AM
To: Eagles, Tom <Eagles.Tom@epa.gov>
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Thanks for the reminder, Tom!
I'll avoid that week in sending out invites to the initial Scoping Team meeting.
KjK

From: Eagles, Tom
Sent: Tuesday, June 18, 2019 9:32 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Hi Kevin -- Just pinging you again, mainly to remind you that Ex. 6 Personal Privacy (PP) will be out next week. We want her to participate in the initial meeting, so please try to avoid that week (June 24-28). Any other time will be fine.

Thanks! -- Tom Eagles

From: Eagles, Tom
Sent: Monday, June 10, 2019 10:21 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Hey Kevin --

I was just wondering what the plans are for an initial meeting on this topic. Our contact, Ex. 6 Personal Privacy (PP) will be out of town the week of June 24, and she'd like to attend any meeting you set up, so please avoid that period if you can. Thanks!

Tom Eagles, OAR

From: Kirby, Kevin
Sent: Wednesday, May 15, 2019 3:24 PM

To: Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>
Cc: Schenk, Ruth <schenk.ruth@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Colleagues,

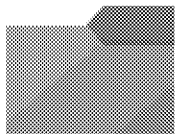
A new Request for Correction (RFC #19002) was submitted this week under the Agency's Information Quality Guidelines which challenges the 2009 GHG Endangerment Finding; information that your office may have disseminated. I've included a link below to the RFC and related artifacts.

Ex. 6 Personal Privacy (PP)

Here's the folder that Kirby, Kevin shared with you.



This link will work for anyone in Environmental Protection Agency (EPA).



RFC 19002 - Endangerment Finding

Open

At this early juncture, I'm trying to determine who the 'Information Owners' are in the Agency and get a list of the right SMEs together that would be part of the Scoping Team to consider this request. Please let me know if this IQG case lands in your arena and who you would like to include in deliberations for developing the response.

Also, to your knowledge, was anyone in ORD involved in the peer review process that is referenced in the request?

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin **On Behalf Of** Quality
Sent: Tuesday, May 14, 2019 11:05 AM
To: 'Devin Watkins' <Devin.Watkins@cei.org>

Cc: Holloman, Vincia <Holloman.Vincia@epa.gov>

Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Dear Mr. Watkins,

Thanks you for your submittal of a request for correction regarding information the Agency disseminated concerning the 2009 GHG Endangerment Finding and supporting Technical Support Document.

In accordance with EPA's Information Quality Guidelines (IQGs), we are assigning a unique tracking number to your request: **RFC #19002**. Please use this number in all future correspondence to the Agency concerning this request.

Our target due date to provide you with a response or a status update is Sept. 18, 2019, which is 90 business days from the date you submitted your request.

We appreciate your attention to quality information!

EPA Quality Staff

From: Devin Watkins <Devin.Watkins@cei.org>

Sent: Monday, May 13, 2019 11:26 AM

To: Quality <Quality@epa.gov>

Subject: Request for Correction Concerning 2009 Endangerment Finding

Dear Vincia Holloman and Information Quality Guidelines Processing Staff,

Please see attached for the Request for Correction that we are hereby submitting under the Information Quality Act.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor
Washington, DC 20005
202-331-2278

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/11/2019 1:41:50 PM
To: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: draft materials
Attachments: Murray_RFC_9_4_19.docx

Jeremy, do you have time to turn to this?

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Wednesday, September 04, 2019 5:49 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: draft materials

Hi Rona, Jeremy,

Ex. 5 Deliberative Process (DP)

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, September 04, 2019 4:29 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: draft materials

Marcus, before heading out, please make sure to share the draft materials (with Jeremy and myself) for the Murray Energy RFC. We may need to keep that one moving while you're out.
Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/11/2019 3:59:55 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: RE: draft

Hi Kevin, [me again] One more question...I inserted the date that appears on the CEI RFC as a placeholder but do you have the actual date received by the agency?
As always, thank you!

From: Birnbaum, Rona
Sent: Wednesday, September 11, 2019 10:45 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Jeremy Martinich (martinich.jeremy@epa.gov) <martinich.jeremy@epa.gov>
Subject: draft

Ex. 5 Deliberative Process (DP)

Thanks, Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/11/2019 5:37:40 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: latest version
Attachments: CEI_RFC_9_10_19_clean.docx

Kevin, here is the latest version for you to make suggestions in track-changes. There are a few editorial comments in there now but it's basically clean. Thanks! Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/11/2019 6:09:49 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: RE: latest version
Attachments: CEI_RFC_9_10_19_clean (003).docx

Kevin, per our discussion, **Ex. 5 Deliberative Process (DP)** I've done that here in the attached and made a few more editorial changes for flow and in the conclusion (so it wasn't so redundant). In case you haven't added your suggested footnote into what I previously sent, please use this one. If you have - no worries, we'll make the adjustment carefully into this one. Thanks again, rona

cc

From: Birnbaum, Rona
Sent: Wednesday, September 11, 2019 1:38 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Jeremy Martinich (martinich.jeremy@epa.gov) <martinich.jeremy@epa.gov>
Subject: latest version

Kevin, here is the latest version for you to make suggestions in track-changes. There are a few editorial comments in there now but it's basically clean. Thanks! Rona

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/11/2019 7:56:23 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
Subject: CEI Response Draft
Attachments: CEI_RFC_9_11_19_clean.docx

Paul. I have not been able to get the date received from OMS. Here is the revised email:

Anne, attached is OAP's recommended response to CEI's request for correction (RFC) regarding EPA's 2009 GHG Endangerment Finding and Technical Support Document. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level. Please let me know if you are comfortable with this - - the next step is for OAR to forward the response to OMS by Sept 18, who will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Thank you,

Appointment

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 7/11/2019 12:48:08 PM
To: Williams, Melina [Williams.Melina@epa.gov]
Subject: FW: RFC Scoping Team mtg. GHG Endangerment Finding
Attachments: RFC 19002 - Endangerment CEI.pdf
Location: Ex. 7(C)
Start: 7/11/2019 8:00:00 PM
End: 7/11/2019 9:00:00 PM
Show Time As: Tentative

-----Original Appointment-----

From: Kirby, Kevin
Sent: Tuesday, July 09, 2019 3:53 PM
To: Kirby, Kevin; Birnbaum, Rona; Martinich, Jeremy; Sarofim, Marcus; Eagles, Tom
Cc: Hockstad, Leif
Subject: RFC Scoping Team mtg. GHG Endangerment Finding
When: Thursday, July 11, 2019 4:00 PM-5:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Ex. 7(C)

Colleagues,

The purpose of this meeting is to consider a Request for Correction (RFC #19002) submitted by CEI concerning EPA's 2009 GHG Endangerment Finding and begin to develop an appropriate response. Please help me ensure that the right SMEs are included and let me know if another office (ORD) may have been involved in the development of the referenced document. I have included a copy of the RFC and will develop a OneDrive IQG file folder to help manage the artifacts we may be referencing in developing the response.

Look for an agenda that I will send out prior to the meeting and please respond to this invite so that I know who's engaged.

For those outside of EPA HQ in DC, our **telecon will be** Ex. 6 Personal Privacy (PP)

Thanks!

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

Message

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/11/2019 7:00:24 PM
To: Paul Gunning (Gunning.Paul@epa.gov) [Gunning.Paul@epa.gov]
CC: Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]
Subject: FW: CEI Response Draft
Attachments: CEI_RFC_9_11_19_redline.docx; CEI_RFC_9_11_19_clean.docx

Paul, attached is a revised version that reflects your suggested edits. Both the version with track-changes (for your ease in seeing what has changed) and the clean version are attached. When sending the clean version to Chris, see the suggested email below:

Anne, attached is OAP's recommended response to CEI's request for correction (RFC) regarding EPA's 2009 GHG Endangerment Finding and Technical Support Document. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level. Please let me know if you are comfortable with this as the next step is for OAR to forward the response to OMS who will then share it with OMB for further review. The 'target' timeline for this response is next week.. we will plan to move forward once I hear from you.

Thank you,

Appointment

From: Birnbaum, Rona [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3E09449084A84B05BC34F43B76CA8DBC-RBIRNBAU]
Sent: 9/5/2019 12:58:09 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Sheppard, Tracy [Sheppard.Tracy@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]; Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]; Jeremy Martinich (martinich.jeremy@epa.gov) [martinich.jeremy@epa.gov]

Subject: CEI RFC check-in

Location: **Ex. 7(C)**

Start: 9/6/2019 1:30:00 PM

End: 9/6/2019 2:00:00 PM

Show Time As: Busy

Required Attendees: Sheppard, Tracy; Melina Williams; Kirby, Kevin; Jeremy Martinich

Message

From: Woods, Clint [woods.clint@epa.gov]
Sent: 9/19/2019 10:31:08 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]
CC: Grundler, Christopher [grundler.christopher@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: Re: Draft Response to CEI's "Request for Correction" under Information Quality Act

Thanks so much! Think we'll want to talk further (maybe latter part of next week?) on this front soon.

On Sep 19, 2019, at 4:33 PM, Gunning, Paul <Gunning.Paul@epa.gov> wrote:

Clint

Per your request below is what Chris sent to Anne

Let me know if you have any questions

Thanks

Paul

Sent from my iPhone

Begin forwarded message:

From: "Grundler, Christopher" <grundler.christopher@epa.gov>
Date: September 11, 2019 at 8:32:03 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>
Cc: "Harlow, David" <harlow.david@epa.gov>, "Gunning, Paul" <Gunning.Paul@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>, "Shaw, Betsy" <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

<CEI_RFC_9_11_19_clean.docx>

Christopher Grundler, Director
Office of Atmospheric Protection
U.S. Environmental Protection Agency
202.343.9140

Ex. 6 Personal Privacy (PP)

Message

From: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Sent: 7/22/2019 8:46:32 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: first stab at CEI response drafting
Attachments: CEI_RFC_notes_JM.docx

I didn't get as far as I had hoped. But I'm passing along the file as it now stands. I added some additional comments that CEI raised in their petition, but didn't get to adding responses yet.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Marcus and I also talked today about making more of a point to note where we've already addressed the incoming comments (perhaps at the start of our response), to help drive the point that they are not raising new concerns here.

Jeremy

From: Sarofim, Marcus
Sent: Thursday, July 18, 2019 11:57 AM
To: Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: first stab at CEI response drafting

See attached for a very rough draft of a response to CEI. We can flesh it out when we get a template and more guidance from Kevin Kirby,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 9/27/2019 7:57:47 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: latest version of response to Murray rfc
Attachments: Murray_RFC_9_27_19_clean.docx

Okay, and here's the clean version,

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, September 27, 2019 1:17 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: latest version of response to Murray rfc

Marcus, this has so much track-changes that it's now hard to read. Can you please see the changes I've now added to your and Jeremy's and prepare a clean version for another look before I send to Tracy, Melina and Kevin for a look. I'll share with Paul simultaneously.

Thanks! Rona

Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 10/8/2019 7:41:41 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: latest version
Attachments: CEI_RFC_9_10_19_clean KJK.docx

Hi Rona,

Ex. 5 Deliberative Process (DP)

KJK

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, September 11, 2019 1:38 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: latest version

Kevin, here is the latest version for you to make suggestions in track-changes. There are a few editorial comments in there now but it's basically clean. Thanks! Rona

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 10/17/2019 5:36:03 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
CC: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: Murray Energy RFC

Perfect Marcus, thanks!

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Thursday, October 17, 2019 1:11 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: Murray Energy RFC

Hi Paul,

Attached is the original Murray Energy RFC. I'm also attaching the CEI response that we drafted and sent up last month,

-Marcus

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Thursday, October 17, 2019 1:04 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: Murray Energy RFC

This looks great!! Can you guys please send me the original Murry RFC and I will have Chris review.

Thx!!

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Tuesday, October 15, 2019 7:27 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: Murray Energy RFC

Hi Paul,

Attached is the current version of the Murray Energy RFC. The final version will include as an attachment the response to the CEI RFC.

The RFC has been reviewed by Kevin, Melina, and Tracy, as well as Rona & Jeremy.

Thank you,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993

WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Sent: 7/26/2019 8:13:48 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: early draft to RFC
Attachments: CEI_RFC_notes_JM.rb.docx

Hi Rona, this is how far I got. I tried to plug as many holes as I could, but as you said, there's still much to do. In any case, I agree that it would be helpful to engage Melina at this point.

Jeremy

From: Birnbaum, Rona
Sent: Friday, July 26, 2019 1:11 PM
To: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: early draft to RFC

I took what Marcus and you initially draft as points and put into this letter format - - informed by Kevin Kirby's example. I provide various additional framing points and flagged a few areas that need some cleaning up, such as I was using language off the top of my head but when we finalize, we ought to use the exact text from wherever we are referencing.

Ex. 5 Deliberative Process (DP)

Thanks! Rona

Message

From: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]
Sent: 11/4/2019 8:14:33 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Gunning, Paul [Gunning.Paul@epa.gov]
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Ex. 5 Deliberative Process (DP)

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, November 04, 2019 2:49 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Fwd: RFC #19002 - Greenhouse Gas Endangerment Finding

Any thoughts on a suggested response?..this is all we know so not sure what else we can say. Here is my suggestion:

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Date: November 4, 2019 at 2:36:39 PM EST
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Cc: "Gonder, Sharon" <Gonder.Sharon@epa.gov>, "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>, "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Subject: RFC #19002 - Greenhouse Gas Endangerment Finding

Hi Rona - - I'm reaching out to you as requested by Kevin Kirby to check on the status of the response for RFC #19002. In addition, today I received a call from the requestor, Devin Watkins checking on the status of a response from EPA.

We are currently showing the status as awaiting response from OAR management. Any information you can provide us would be greatly appreciated. If you have any questions please don't hesitate to call me at the number below.

Thank you!

Regards,
Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 11/4/2019 8:10:40 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: Re: RFC #19002 - Greenhouse Gas Endangerment Finding

Yes, we will let them know as soon as we hear back.

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, November 4, 2019 2:49 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Fwd: RFC #19002 - Greenhouse Gas Endangerment Finding

Any thoughts on a suggested response?..this is all we know so not sure what else we can say. Here is my suggestion:

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Date: November 4, 2019 at 2:36:39 PM EST
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Cc: "Gonder, Sharon" <Gonder.Sharon@epa.gov>, "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>, "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Subject: RFC #19002 - Greenhouse Gas Endangerment Finding

Hi Rona - - I'm reaching out to you as requested by Kevin Kirby to check on the status of the response for RFC #19002. In addition, today I received a call from the requestor, Devin Watkins checking on the status of a response from EPA.

We are currently showing the status as awaiting response from OAR management. Any information you can provide us would be greatly appreciated. If you have any questions please don't hesitate to call me at the number below.

Thank you!

Regards,
Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511

Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

Message

From: Crimmins, Allison [Crimmins.Allison@epa.gov]
Sent: 11/5/2019 2:13:31 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]
CC: Shoaff, John [Shoaff.John@epa.gov]
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Thanks. We've pinged Anne Campbell about both the CEI and Murray RFC.
-Allison

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Tuesday, November 05, 2019 7:33 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>
Subject: Fwd: RFC #19002 - Greenhouse Gas Endangerment Finding

fyi

Sent from my iPhone

Begin forwarded message:

From: "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Date: November 4, 2019 at 3:23:49 PM EST
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Cc: "Gonder, Sharon" <Gonder.Sharon@epa.gov>, "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>, "Gunning, Paul" <Gunning.Paul@epa.gov>, "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Rona - - Thank you for your prompt reply!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, November 04, 2019 3:17 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Gunning, Paul <Gunning.Paul@epa.gov>
Subject: Re: RFC #19002 - Greenhouse Gas Endangerment Finding

Hi Katherine, that is correct, we have sent the suggested response to the OAR acting AA for her review.
We will let you know as soon as we get a response.

Thanks, Rona

Sent from my iPhone

On Nov 4, 2019, at 2:36 PM, Chalfant, Katherine <Chalfant.Katherine@epa.gov> wrote:

Hi Rona - - I'm reaching out to you as requested by Kevin Kirby to check on the status of the response for RFC #19002. In addition, today I received a call from the requestor, Devin Watkins checking on the status of a response from EPA.

We are currently showing the status as awaiting response from OAR management. Any information you can provide us would be greatly appreciated. If you have any questions please don't hesitate to call me at the number below.

Thank you!

Regards,
Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 11/18/2019 9:08:05 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; ATT00001.htm; 11-18-2019 Redline CEI Letter dsl.docx; ATT00002.htm

Looks like David H. had a similar comment to mine. Lets try and turn this around quickly.

Thanks

Paul

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Monday, November 18, 2019 3:58 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

I can't read redline on my phone. Pls review and loop in OGC. Let me know nature if edits. Thx

Sent from my iPhone

Begin forwarded message:

From: "Cory, Preston" <Cory.Preston@epa.gov>
Date: November 18, 2019 at 8:32:00 PM GMT+1
To: "Harlow, David" <harlow.david@epa.gov>, "Grunder, Christopher" <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

To: Gunning, Paul[Gunning.Paul@epa.gov]
Cc: Cory, Preston[Cory.Preston@epa.gov]; Kocchi, Suzanne[Kocchi.Suzanne@epa.gov]; Shaw, Betsy[Shaw.Betsy@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]; Birnbaum, Rona[Birnbaum.Rona@epa.gov]; Williams, Melina[Williams.Melina@epa.gov]
From: Harlow, David[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B5A9A34E31FC4FE6B2BEADDDA2AFFA44-HARLOW, DAV]
Sent: Thur 11/21/2019 7:22:42 PM (UTC)
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act
[dshComment Replies 11-18-2019 Redline CEI Letter dsl.rb.docx](#)

Paul,

I'm sorry it's taken me all day to get to this, but, yes, this looks fine to Preston and me as revised. Attached, for what it's worth, are my very brief replies to the bubbled comments from Rona and Melina (I've added Melina to this email accordingly).

Ex. 5 Deliberative Process (DP)

We thank you for all your good work on this.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Wednesday, November 20, 2019 6:54 PM
To: Harlow, David <harlow.david@epa.gov>
Cc: Cory, Preston <Cory.Preston@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Re: Draft Response to CEI's "Request for Correction" under Information Quality Act

Thanks David!

Sent from my iPhone

On Nov 20, 2019, at 4:49 PM, Harlow, David <harlow.david@epa.gov> wrote:

Paul,

Thank you. Preston is out of the office today, and I may not be able to get to this before the end of the day, but I'll commit us to take a look and sign off by tomorrow at the latest.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 20, 2019, at 1:15 PM, Gunning, Paul <Gunning.Paul@epa.gov> wrote:

Preston

Attached is the revised CEI letter - clean and redline versions. We incorporated all of David's edits and suggestions (which were excellent) and we clarified the text on page 3 to address the comment. If you guys are OK with this, we can send along to OMS who will then transmit to OMB for their review. While we don't need a signature at this point in the process, we should add either Anne or Betsy to the signature block. Just let us know how you want to handle and we can move it forward.

Thanks!

Paul

From: Cory, Preston <Cory.Preston@epa.gov>

Sent: Monday, November 18, 2019 4:15 PM

To: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Cc: Harlow, David <harlow.david@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

All- please find attached the revised CEI letter. A redline and clean version are included.

Thanks,
Preston

From: Cory, Preston

Sent: Monday, November 18, 2019 2:32 PM

To: Harlow, David <harlow.david@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>

Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>

Sent: Wednesday, November 13, 2019 6:21 PM

To: Cory, Preston <Cory.Preston@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

ED_005943_00000334-00003

Chris

<11-20-2019 CEI letter.clean.docx>

<11-18-2019 Redline CEi Letter dsl.rb.docx>

Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 12/12/2019 3:02:07 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Rimer, Kelly [Rimer.Kelly@epa.gov]
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Good Morning Leif,
I am under increased pressure from my management to get these IQG responses out.
This included both the Endangerment Finding (RFC 19002) and EtO (RFC 18003).
Please provide me a status update on these.
Thanks,
Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin
Sent: Thursday, December 5, 2019 6:29 PM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Thanks, Leif!
I appreciate that.
KJK

From: Hockstad, Leif <Hockstad.Leif@epa.gov>
Sent: Thursday, December 5, 2019 6:28 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Re: Response to CEI's "Request for Correction" under Information Quality Act

Kevin - I am going to ask for an update at tomorrow morning's senior management meeting. This is a hard spot for you and appreciate your patience with us. I will be in touch.

Thanks,
Leif

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Thursday, December 5, 2019 6:05 PM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Leif,
I'm receiving increased flak from my management on getting this response out.
The requester is continuing to hound us with inquiries going ever higher.
I have a meeting with the CIO early Monday.
What can I tell him regarding the status on this response?
KJK

From: Kirby, Kevin
Sent: Monday, November 25, 2019 9:40 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Got it.
Will stand by...
KJK

From: Hockstad, Leif <Hockstad.Leif@epa.gov>
Sent: Friday, November 22, 2019 10:31 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Kevin –

Thank you for your understanding. I will try to get a clearer sense from the OAR front office on what they are aiming to do before we press the "go" button.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I will confirm our next steps and let you know how to keep things moving. I appreciate your patience and will be in touch soon.

Thanks,
Leif

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Friday, November 22, 2019 10:13 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

You bet. I'll hold off on sending this until you have a chance to touch bases with Rona and the 3rd floor.
Please let me know as soon as this clears as it is already late in getting this response out.
Thanks Leif!
Kevin

From: Hockstad, Leif <Hockstad.Leif@epa.gov>
Sent: Friday, November 22, 2019 9:57 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Crimmins, Allison <Crimmins.Allison@epa.gov>

Subject: RE: Response to CEI's "Request for Correction" under Information Quality Act

Importance: High

Kevin –

I just heard from OAR's front office that while everything is reviewed and cleared, they want to make sure the 3rd floor is aware of our response to this RFC before it leaves EPA and is sent to OMB.

Ex. 5 Deliberative Process (DP)

Please let me know if you have any immediate questions or if we should be aware of anything as we try to get this communicated around.

Thanks,
Leif

LEIF HOCKSTAD | LEADER, POLICY SUPPORT GROUP
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442B
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Hockstad.Leif@epa.gov | 1-202-343-9432

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>

Sent: Friday, November 22, 2019 8:58 AM

To: Williams, Melina <Williams.Melina@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>

Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Subject: FW: Response to CEI's "Request for Correction" under Information Quality Act

Hi folks, want to make sure you all have the version that I just forwarded to Kevin to move forward in the IQA process.
Thanks for your review and input!
Rona

From: Birnbaum, Rona

Sent: Friday, November 22, 2019 8:54 AM

To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Cc: Paul Gunning <Gunning.Paul@epa.gov> <Gunning.Paul@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Harlow, David <harlow.david@epa.gov>; Cory, Preston <Cory.Preston@epa.gov>; Suzie Kocchi <kocchi.suzanne@epa.gov> <kocchi.suzanne@epa.gov>

Subject: Response to CEI's "Request for Correction" under Information Quality Act

Hello Kevin, attached is the response to CEI's request for correction. It's been reviewed by OAR's front office and is ready to move on to the next step in the process. Please let us know if you have any questions. Thanks, Rona

To: Birnbaum, Rona[Birnbaum.Rona@epa.gov]
From: Sarofim, Marcus[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: Fri 1/29/2021 12:41:39 AM (UTC)
Subject: RE: Information Quality Act - Responding to Request for Corrections
[RFC summaries.1.28.21.docx](#)

Hi Rona,

Here's my first draft. Note also that the CEI RFC came in one and a half years ago, not last year.

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Thursday, January 28, 2021 5:54 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: FW: Information Quality Act - Responding to Request for Corrections

I'm trying to find the email we all got with the official signature line for Joe Goffman... so that can be added here

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Tuesday, January 26, 2021 9:53 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Information Quality Act - Responding to Request for Corrections

Chris - Now that the new team is in place we would like to try and move forward to clear the deck of the 2 RFCs that came in last year. The first, from CEI, we received back in May and focused on the Endangerment Finding. The second came from Dr. Tinker and focused on the use of the term "Greenhouse Effect" on our website. I have attached our draft responses as well as the incoming for the Tinker response.

As a next step, we will need to revisit our drafts and update accordingly (the Tinker response is straight forward but I want to take a closer look at the CEI response) If it is OK with you, Rona and I can then work with OAPPS to get these through OAR and over to EQMD (information quality office) for transmission to OMB. OMB will then review and send back to EPA/OAR for AA signature.

Let me know if this sounds OK or if you want to discuss further/handle differently.

Thanks!!

Paul

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 1/29/2021 7:14:55 PM
To: Grundler, Christopher [grundler.christopher@epa.gov]
CC: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: Follow up on RFC responses
Attachments: RFC_summaries.1.29.21.docx

Chris - follow up for Joe on the RFCs. Let me know if you have any questions or need anything else

Thx

Paul

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP. As promised, attached is the one pager that provides a summary of the two RFCs and our proposed responses. If you are OK with these, we will plan on working with John Schoaff and his staff and OMS to clear and get our draft responses over to OMB for review. After review, they come back to us for AA signature.

Thanks

Chris

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 1/26/2021 2:53:29 PM
To: Grundler, Christopher [grundler.christopher@epa.gov]
CC: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]
Subject: Information Quality Act - Responding to Request for Corrections
Attachments: RFC_21001_Greenhouse Effect.pdf; TinkerResponse12.4.20.clean (002).docx; 11-22-2019 CEI letter.docx

Chris - Now that the new team is in place we would like to try and move forward to clear the deck of the 2 RFCs that came in last year. The first, from CEI, we received back in May and focused on the Endangerment Finding. The second came from Dr. Tinker and focused on the use of the term "Greenhouse Effect" on our website. I have attached our draft responses as well as the incoming for the Tinker response.

As a next step, we will need to revisit our drafts and update accordingly (the Tinker response is straight forward but I want to take a closer look at the CEI response) If it is OK with you, Rona and I can then work with OAPPS to get these through OAR and over to EQMD (information quality office) for transmission to OMB. OMB will then review and send back to EPA/OAR for AA signature.

Let me know if this sounds OK or if you want to discuss further/handle differently.

Thanks!!

Paul

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 2/19/2021 9:28:45 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Schmeltz, Rachel [Schmeltz.Rachel@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: Re: Response to CEI RFC

Sounds good Rona. Thx

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, February 19, 2021 4:26 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Schmeltz, Rachel <Schmeltz.Rachel@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: Response to CEI RFC

Paul, as we prepare the response to CEI's RFC, in this revised draft, we've taken the approach of adding in the issues from the 3rd party submissions (Murray Energy, EDF, States AGs) ..this is a decision for OAR. Let's talk about this first, before we get it back into the Info Quality group review as well as the approach to re-entering that process (since the draft had cleared the Info Quality team already last year).

The draft is attached – uses exactly what was developed last year with the added text regarding the 3rd party submissions (for our internal discussion).

We can discuss at my next general.

Thanks, Rona

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 2/26/2021 2:53:49 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: CEI RFC draft

Your edits look good, thank you! I'll talk to you at 11:30,

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, February 26, 2021 9:24 AM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: CEI RFC draft

Let's discuss next steps at our general today. I made just a few small suggestions.
Thanks, Rona

Message

From: Hartin, Corinne [Hartin.Corinne@epa.gov]
Sent: 3/12/2021 8:07:41 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: CEI RFC

Thanks! 😊

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, March 12, 2021 3:03 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Cc: Hartin, Corinne <Hartin.Corinne@epa.gov>
Subject: FW: CEI RFC

Thanks Marcus!
+Jeremy.
FYI Corinne, this is the regarding the CEI RFC (not the petition).

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Friday, March 12, 2021 2:38 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Hartin, Corinne <Hartin.Corinne@epa.gov>
Subject: CEI RFC

Hi Rona,

Attached is the updated response to the CEI RFC (clean & track-changes), **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Let me know next steps.

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 3/12/2021 8:41:25 PM
To: Tallent, Robert [Tallent.Robert@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Crimmins, Allison [Crimmins.Allison@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]; Sheppard, Tracy [Sheppard.Tracy@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: RFC 19002 - GHG Endangerment Finding
Attachments: CEI RFC response letter.3.12.21.docx; CEI RFC response letter.3.12.21.clean.docx

Good afternoon,

Attached are track changes and clean versions of an updated response to the CEI (19002) RFC. Thank you,

-Marcus

From: Tallent, Robert <Tallent.Robert@epa.gov>
Sent: Wednesday, March 10, 2021 9:32 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC 19002 - GHG Endangerment Finding

All,

Please see the attached revised minutes. My apologies for the error.

Thanks

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>

Sent: Wednesday, March 10, 2021 9:17 AM

To: Tallent, Robert <Tallent.Robert@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>

Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Subject: RE: RFC 19002 - GHG Endangerment Finding

Hi Bob, thanks for the summary.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks, Rona

From: Tallent, Robert <Tallent.Robert@epa.gov>

Sent: Wednesday, March 10, 2021 8:07 AM

To: Crimmins, Allison <Crimmins.Allison@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>

Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Subject: RFC 19002 - GHG Endangerment Finding

All,

Please find attached the minutes of our Scoping Team meeting on Monday.

Since our meeting we have discovered an interesting situation with Murray Energy. I will share it with you once I am sure of the details.

For the time being, please only focus on the CEI response. Do not spend time on Murray Energy.

As this is now day 667 with this RFC, I am hoping we can get the CEI draft response out of EPA and over to OMB within the next two weeks.

It will be a good day when we finally get this RFC off of our plate.

Thanks for all you for Quality!

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information

ED_005943_00000404-00002

Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 10/17/2019 5:11:27 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]
CC: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: Murray Energy RFC
Attachments: 7-30-19 Murray Energy IQA RFC.PDF; CEI_RFC_9_11_19_clean.docx

Hi Paul,

Attached is the original Murray Energy RFC. I'm also attaching the CEI response that we drafted and sent up last month,

-Marcus

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Thursday, October 17, 2019 1:04 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: Murray Energy RFC

This looks great!! Can you guys please send me the original Murry RFC and I will have Chris review.

Thx!!

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Tuesday, October 15, 2019 7:27 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: Murray Energy RFC

Hi Paul,

Attached is the current version of the Murray Energy RFC. The final version will include as an attachment the response to the CEI RFC.

The RFC has been reviewed by Kevin, Melina, and Tracy, as well as Rona & Jeremy.

Thank you,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 8/6/2019 4:13:54 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: 1 pager on RFC
Attachments: CEI_RFC_onepager.docx

Here's a first draft (just over a page). I think I may use this as a guide to going back and making some more edits on the current version of the full RFC...

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Tuesday, August 06, 2019 11:14 AM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: 1 pager on RFC

Marcus, I stopped by to ask the following... For the briefing the afternoon of 8/14 with Chris on Overview of the RFC, can you please take a first stab at a 1-pager overview? Clearly, he's going to want to read and ask lots of questions - - so I think just a simple Word doc (1-2 pages) is the best approach. That's another thing I'll need to get to Paul upon his return for his review.

Let's have a quick chat about status as well.

Thanks, Rona

Message

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 3/19/2021 5:40:27 PM
To: Grundler, Christopher [grundler.christopher@epa.gov]
CC: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]; Schmeltz, Rachel [Schmeltz.Rachel@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: FW: RFC 19002 - GHG Endangerment Finding
Attachments: CEI RFC response letter.3.12.21.clean.docx; rfc_19002_-_endangerment_cei.pdf

Chris – This is taking a lot longer than anticipated, but we are ready to start moving forward with our response to CEI for their Request for Correction on the Endangerment Finding. The attached draft is very similar to what we shared with you several weeks ago with a few differences.....

Ex. 5 Deliberative Process (DP)

Please let us know if you have any comments. The next step would be for us to send this up to the front office for Joe's review before EQMD sends to OMB for their review. EQMD will wait for our go-ahead to send to OMB. Once OMB comments/clears we will send out the final RFC response to CEI.

Paul

United States Environmental Protection Agency

Petition of the

Competitive Enterprise Institute and the Science and Environmental Policy Project

for Rulemaking on the Subject of Greenhouse Gases

and Their Impact on Public Health and Welfare,

in Connection with EPA's 2009 Endangerment Finding, 74 FR 66,496 (Dec. 15, 2009)

Competitive Enterprise Institute
1310 L Street, NW, 7th Floor
Washington, D.C. 20005
(202) 331-1010

Sam Kazman, General Counsel
Hans Bader, Senior Counsel

February 17, 2017
(corrected February 23)

PETITION FOR RULEMAKING ON THE ISSUE OF GREENHOUSE GASES AND PUBLIC HEALTH AND WELFARE

Petitioners Competitive Enterprise Institute, the Science and Environmental Policy Project, and four individual members of the latter's Board of Directors hereby petition EPA to initiate a rulemaking proceeding on the subject of greenhouse gases and their impact on public health and welfare.

EPA addressed this matter in 2009 in its "Endangerment Finding." EPA, Final Rule, Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, 74 FR 66,496 (Dec. 15, 2009). However, as explained below, since that finding was issued, evidence has continued to mount that directly contradicts it. For these reasons, we request that EPA commence a new proceeding on this matter.

Procedural Background

We bring this petition pursuant to 5 U.S.C. § 553(e), which grants any "interested person the right to petition for the issuance, amendment, or repeal of a rule." A rulemaking proceeding is appropriate when new developments demonstrate that an existing rule or finding rests on erroneous factual premises, and a rulemaking petition is a proper vehicle for asking an agency "to reexamine" the "continuing vitality" of a rule.¹ EPA's own website expressly notes the applicability of section 553(e) to the environmental statutes that it administers. EPA, Petitions for Rulemaking, <https://www.epa.gov/aboutepa/petitions-rulemaking>.²

Identity and Interest of the Petitioners

The Competitive Enterprise Institute (CEI) is a non-profit, 501(c)(3) public policy organization that focuses on issues of overregulation, especially its implications for affordable energy. CEI was founded in 1984 and is headquartered in Washington, D.C.

The Science and Environmental Policy Project (SEPP) is a non-profit 501(c)(3) organization, incorporated in 1993 in the State of Virginia for the purpose of promoting sound and credible science as the basis for regulatory decisions.

¹ *Geller v. FCC*, 610 F.2d 973, 978–80 (D.C. Cir. 1979) (overturning agency's denial of petition for new rulemaking). An agency's "refusal to initiate a rulemaking naturally sets off a special alert when a petition has sought modification of a rule on the basis of a radical change in its factual premise." *American Horse Protection Ass'n v. Lyng*, 812 F.2d 1, 5 (D.C. Cir. 1987) (overturning agency's denial of petition for rulemaking in light of agency's failure to offer a satisfactory explanation). Alternatively, EPA may choose to treat our filing as a petition for reconsideration of its Endangerment Finding. The procedural basis for doing so is discussed in Concerned Household Electricity Consumers Council et al., *Petition for Reconsideration of "Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act"* (filed Jan. 20, 2017), at 1-5.

² See, e.g., *Commonwealth of Va. v. EPA*, 108 F.3d 1397, 1402 n.3 (D.C. Cir. 1997) (successful challenge to ozone pollution rule by Virginia) ("any interested person has 'the right to petition' EPA 'for the issuance, amendment, or repeal' of any rule. 5 U.S.C. § 553(e)"), *decision modified on reh'g*, 116 F.3d 499 (D.C. Cir. 1997).

The individual petitioners, who are members of SEPP's Board of Directors, are the following: Donna Bethell (DC), Kenneth A. Haapala (VA), Thomas Sheahen (MD), and S. Fred Singer (VA). They are citizens of the United States who reside in the jurisdictions indicated for each of them. They and/or the households to which they belong pay utility bills that are affected by EPA regulations that are based, directly or indirectly, on the Endangerment Finding – such as the Clean Power Plan, 80 FR at 64,662 (codified at 40 C.F.R. § 60.5700 *et seq.*), which threatens to increase the cost of electricity.³ Thus, they are not only interested parties, but have standing to judicially challenge the Endangerment Finding given the new facts cited in this petition.⁴

The Lines of Evidence for EPA's Endangerment Finding

EPA's 2009 Endangerment Finding described its scientific basis in the following terms:

“The attribution of observed climate change to anthropogenic activities is based on multiple lines of evidence. The first line of evidence arises from the basic physical understanding of the effects of changing concentrations of GHGs, natural factors, and other human impacts on the climate system. The second line of evidence arises from indirect, historical estimates of past climate changes that suggest that the changes in global surface temperature over the last several decades are unusual. The third line of evidence arises from the use of computer-based climate models to simulate the likely patterns of response of the climate system to different forcing mechanisms (both natural and anthropogenic).”

74 FR 66,518 (footnote omitted).

But as discussed below, in the seven years since the Endangerment Finding was issued, new evidence and research has cast serious doubt on the validity of its three lines of evidence.

I. There Has Been No Statistically Significant Atmospheric Warming Despite a Continued Increase in Atmospheric Carbon Dioxide Levels; This Seriously Undercuts the Endangerment Finding's First Line of Evidence Regarding an Adequate Understanding of Climate

Prior to 2016, the atmospheric temperatures showed the warmest year on record to be 1998. The atmospheric carbon dioxide concentration for December of that year was 367.13 part per million (ppm).⁵

³ See, e.g., Concerned Household Electricity Consumers Council, *Petition for Reconsideration*, *supra* n.1, at 5–8 (describing in detail how the Endangerment Finding leads to increased electricity costs).

⁴ See *CEI v. NHTSA*, 901 F.2d 107, 111–13 (D.C. Cir. 1990) (regulations that allegedly resulted in “high prices” for “large cars” could be challenged by group whose members sought “opportunity to buy” them); *Energy Action Educ. Found. v. Andrus*, 654 F.2d 735, 756 n.** (D.C. Cir. 1980) (consumers had standing to challenge activities claimed to “inflat[e] prices, limit[] supplies, and restrict[] choice on the market”), *rev'd on other grounds*, 454 U.S. 151 (1981); *Community Nutrition Inst. v. Block*, 698 F.2d 1239, 1248 (D.C. Cir. 1983), *rev'd on other grounds*, 467 U.S. 340 (1984) (consumers could challenge exactions imposed on milk handlers, which allegedly would be passed on to consumers).

⁵ ftp://aftp.cmdl.noaa.gov/products/trends/co2/co2_mm_mlo.txt

The past year, 2016, was reportedly warmer than 1998 by 0.02 deg. C.⁶ The atmospheric carbon dioxide concentration in December 2016 was 404.48 ppm.⁷

Despite this 10 percent increase in atmospheric CO₂ concentrations, however, the temperature difference between 1998 and 2016 was not statistically significant. As Dr. Roy Spencer of the University of Alabama in Huntsville has pointed out, “2016 would have had to be 0.10 C warmer than 1998 to be significantly different at the 95% confidence level.”⁸ In fact, the temperature difference between the two years was only one fifth of that amount.

In its Endangerment Finding, EPA acknowledged that “there have not been strong trends over the last seven to ten years in global surface temperature or lower troposphere temperatures measured by satellites.” 74 FR 66,522. EPA claimed, however, that “this pause in warming should not be interpreted as a sign that the Earth is cooling or that the science supporting continued warming is in error. Year-to-year variability in natural weather and climate patterns make it impossible to draw any conclusions about whether the climate system is warming or cooling from such a limited analysis.” *Id.*

Here, however, the absence of any strong warming trend has continued for 18 years. That is twice as large as the 2001–09 time period touted in the Finding as containing “eight of the 10 warmest years on record.” *Id.* Moreover, the fact that the starting and end years for this 18-year period are the two reportedly warmest years on record makes the lack of warming all the more significant. In short, the absence of a strong warming trend in the face of increasing atmospheric CO₂ concentrations cannot be dismissed, yet again, as being based on an overly “limited analysis.” It draws into serious question EPA’s contention that we have an adequate “physical understanding of the effects of changing concentrations of GHGs ... on the climate system.” 74 FR 66,518.

II. Contrary to the Endangerment Finding’s Second Line of Evidence, Changes in Global Temperatures in Recent Decades Are Far From Unusual

The Endangerment Finding states that “indirect, historical estimates of past climate changes ... suggest that the changes in global surface temperature over the last several decades are unusual.” 74 FR 66,518. But a more recent, comprehensive review of the scientific literature comes to exactly the opposite conclusion:

“Over recent geological time, Earth’s temperature has fluctuated naturally between about +4°C and -6°C with respect to twentieth century temperature. A warming of 2°C above today, should it occur, falls within the bounds of natural variability;”

⁶ *Global Temperature Report: December, 2016*, Earth System Science Center, Univ. of AL at Huntsville, http://www.nsstc.uah.edu/climate/2016/december/dec2016_GTR.pdf

⁷ See n.5.

⁸ Roy Spencer, Ph.D., *Global Satellites: 2016 not Statistically Warmer than 1998*, DRROYSPENCER.COM, (Jan. 3, 2017), <http://www.drroyspencer.com/2017/01/global-satellites-2016-not-statistically-warmer-than-1998/>.

“At the current level of ~400 ppm we still live in a CO₂-starved world. Atmospheric levels 15 times greater existed during the Cambrian Period (about 550 million years ago) without known adverse effects.”

The overall warming since about 1860 corresponds to a recovery from the Little Ice Age modulated by natural multidecadal cycles driven by ocean-atmosphere oscillations, or by solar variations at the de Vries (~208 year) and Gleissberg (~80 year) and shorter periodicities.”

“The causes of historic global warming remain uncertain, but significant correlations exist between climate patterning and multidecadal variation and solar activity over the past few hundred years.”⁹

Similarly, a comprehensive new study of 13 complete temperature data sets (nine in the tropics, one in the U.S. and three global) found that “once just the ENSO [El Nino Southern Oscillation] impacts on temperature data are accounted for, there is no ‘record setting’ warming to be concerned about.”¹⁰

For these reasons, the Finding’s second line of evidence should be reconsidered.

III. The Growing Accumulation and Refinement of Balloon and Satellite Data Demonstrates that the Atmosphere Is Far Less Sensitive to CO₂ Forcing than Predicted by the Climate Models; As a Result, EPA’s Third Line of Evidence Is No Longer Valid

EPA’s Endangerment Finding expressly noted the importance of global atmospheric temperature as a “reasonable indicator of human-induced climate change.” 74 FR at 66,522 (capitalization omitted). However, EPA largely ignored the two most precise methods for measuring atmospheric temperature, satellites and weather balloons. The Finding contained no discussion at all of balloon temperature data, and there was only one brief discussion of satellite temperature data. *Id.* Computer-based climate models, on the other hand, received far more attention. EPA characterized these models as “well tested,” and they were singled out by EPA as constituting the Finding’s “third line of evidence.”

But as demonstrated by the congressional testimony of John R. Christy, Director of the Earth System Science Center at the University of Alabama, the continued accumulation of both satellite and balloon data has thrown increasing doubt over two of EPA’s three lines of evidence. Contrary to the Finding’s claim that we have a “basic physical understanding of ... the climate system,” Christy concludes that “the theory of how climate changes occur, and the associated impact of extra greenhouse gases, is not understood well enough to even reproduce the past

⁹ Idso, Carter, and Singer, *Climate Change Reconsidered II: Physical Science* (2013), <https://www.heartland.org/media-library/pdfs/CCR-II/CCR-II-Full.pdf>; *Summary for Policymakers*: http://climatechangereconsidered.org/wp-content/uploads/2016/08/09-25-2013_-CCR-II-Summary-for-Policymakers.pdf, p.4.

¹⁰ Wallace, Christy, and D’Aleo, *On the Existence of a “Tropical Hotspot” & the Validity of EPA’s CO₂ Endangerment Finding* (Aug. 2016), at pp. 4 and 13, Table II-1, <https://thsresearch.files.wordpress.com/2016/10/ef-cpp-sc-2016-data-ths-paper-ex-sum-101416.pdf>.

climate.” Prepared Testimony of John R. Christy to the U.S. House Committee on Science, Space and Technology (Feb. 2, 2016), p.2, <https://science.house.gov/sites/republicans.science.house.gov/files/documents/HHRG-114-SY-WState-JChristy-20160202.pdf>, attached hereto.

As Dr. Christy explains, both surface temperature stations and water temperature suffer from a number of problems. Stations are affected by “the growth of infrastructure” around them and by the “variety of changes” that they “undergo through time.” Christy at 6. Water temperature readings “do not track well with those of the air temperature just above the water ... even if both are measured on the same buoy over 20 years.” *Id.*

Satellite and balloon data do not suffer from these problems. Moreover, the fact that balloon and satellite data correlate extremely well with one another despite their being collected through distinctly different methods makes their results far more reliable. “To be sure, satellite and balloon temperatures require their own adjustments and cannot be considered ‘perfect’, but do offer an independence from one another to allow direct comparison studies.” *Id.* at 7.

Based on this data, Dr. Christy’s essential conclusion is that the computer models “clearly overcook the atmosphere,” *Id.* 2. They project a far higher rate of warming than actually observed—2.5 times faster generally, and 3 times faster for the tropical atmosphere. *Id.* at 4–5. The models were “demonstrably deficient.” *Id.* at 2. They “failed at the simple test of telling us ‘what’ has already happened, and thus would not be in a position to give us a confident answer to ‘what’ may happen in the future and ‘why.’” *Id.* at 12. And Dr. Christy emphasized the fact that the 37-year period that he had examined is “the period with the highest concentration of greenhouse gases and thus the period in which the response should be of largest magnitude.” *Id.*

In short, EPA’s claim in its Endangerment Finding that the climate models are “well-tested” no longer bears scrutiny, and its third line of evidence clearly needs to be reconsidered.

IV. Given the Mounting Evidence that EPA’s Greenhouse Gas Regulations Will Have No Discernible Climate Impact, the Rationale for Its Endangerment Finding Requires Reexamination

In its Finding, EPA gave the following analogy for endangerment:

“The question of whether there is endangerment is like the question of whether there is an illness. Once one knows there is an illness, then the next question is what to do, if anything, in response to that illness.”

74 FR 66,515.

But as Dr. Christy noted in his testimony, even a total *elimination* of U.S. emissions would have a near zero impact on global climate. As he put it, if the U.S. were simply to vanish, after 50 years there would be no discernible global temperature difference, given the satellite and balloon data findings regarding atmospheric sensitivity: “the impact ... would be only 0.05 to 0.08 degrees C – an amount less than that which the global temperature fluctuates from month to

month.” Christy at 14. Given this impossibility of treating the “illness” supposedly identified by EPA’s Finding, the basis for making the Finding in the first place needs reconsideration.

This point is buttressed by testimony last year from then-EPA Administrator Gina McCarthy, when she stated that the alleged environmental benefits of EPA’s massive Clean Power Plan were not purpose. At a March 22, 2016, congressional hearing, one U.S. Representative asked her: “I don’t understand – if it doesn’t have an impact on climate change around the world, why are we subjecting our hard working taxpayers and men and women in the coal fields to something that has no benefit?”¹¹

Gina McCarthy’s answer: “We see it as having had enormous benefit in showing [the] sort of domestic leadership as well as garnering support around the country for the agreement we reached in Paris.”

CONCLUSION

As shown above, there is significant new data and research that seriously undercuts each of the Endangerment Finding’s lines of evidence. For these reasons, EPA should conduct a new rulemaking on this issue.

Respectfully submitted on behalf of CEI, SEPP, Donna Bethell, Kenneth A. Haapala, Thomas Sheahen, and S. Fred Singer.

Dated: February 17, 2017
(corrected Feb. 23)

/s/ Sam Kazman
Sam Kazman
Hans Bader
Competitive Enterprise Institute
1310 L St., NW, 7th Floor
Washington, D.C. 20005
(202) 331-1010
Attorneys for Petitioners

¹¹ *Fiscal Year 2017 EPA Budget: Hearing Before the H. Comm. on Energy and Commerce, Subcomm. on Energy and Power*, 114th Cong. at 73–74 (Mar. 22, 2016) (testimony of EPA Administrator Gina McCarthy), available at <http://docs.house.gov/meetings/IF/IF03/20160322/104715/HHRG-114-IF03-Transcript-20160322.pdf>.

ATTACHMENT

U.S. House Committee on Science, Space & Technology

2 Feb 2016

Testimony of John R. Christy

University of Alabama in Huntsville.

I am John R. Christy, Distinguished Professor of Atmospheric Science, Alabama's State Climatologist and Director of the Earth System Science Center at The University of Alabama in Huntsville. I have served as Lead Author, Contributing Author and Reviewer of United Nations IPCC assessments, have been awarded NASA's Medal for Exceptional Scientific Achievement, and in 2002 was elected a Fellow of the American Meteorological Society.

It is a privilege for me to offer my analysis of the current situation regarding (1) the temperature datasets used to study climate, (2) our basic understanding of climate change and (3) the effect that regulations, such as the Paris agreement, might have on climate. I have also attached an extract from my Senate Testimony last December in which I address (1) the popular notion that extreme climate events are increasing due to human-induced climate change (they are not), and (2) the unfortunate direction research in this area has taken.

My research area might be best described as building datasets from scratch to advance our understanding of what the climate is doing and why – an activity I began as a teenager over 50 years ago. I have used traditional surface observations as well as measurements from balloons and satellites to document the climate story. Many of our UAH datasets are used to test hypotheses of climate variability and change.

(1.1) Upper air temperature data from satellites and balloons

I shall begin with a discussion that was precipitated by an increasingly active campaign of negative assertions made against the observations, i.e. the data, of upper air temperatures. Figure 1 in particular has drawn considerable attention from those who view the climate system as undergoing a rapid, human-caused transformation into a climate to which people would have great difficulty adapting. This simple chart tells the story that the average model projection, on which their fears (or hopes?) are based, does poorly for the fundamental temperature metric that is allegedly the most responsive to extra greenhouse gases - the bulk atmospheric temperature of the layer from the surface to 50,000ft. [The layer shown is known as the mid-troposphere or MT and is used because it overlaps with the region of the tropical atmosphere that has the largest anticipated signature of the greenhouse response by bulk mass – between 20,000 and 50,000 feet.] The chart indicates that the theory of how climate changes occur, and the

associated impact of extra greenhouse gases, is not understood well enough to even reproduce the past climate [much more in section (2)]. Indeed, the models clearly over-cook the atmosphere. The issue for congress here is that such demonstrably deficient model projections are being used to make policy.

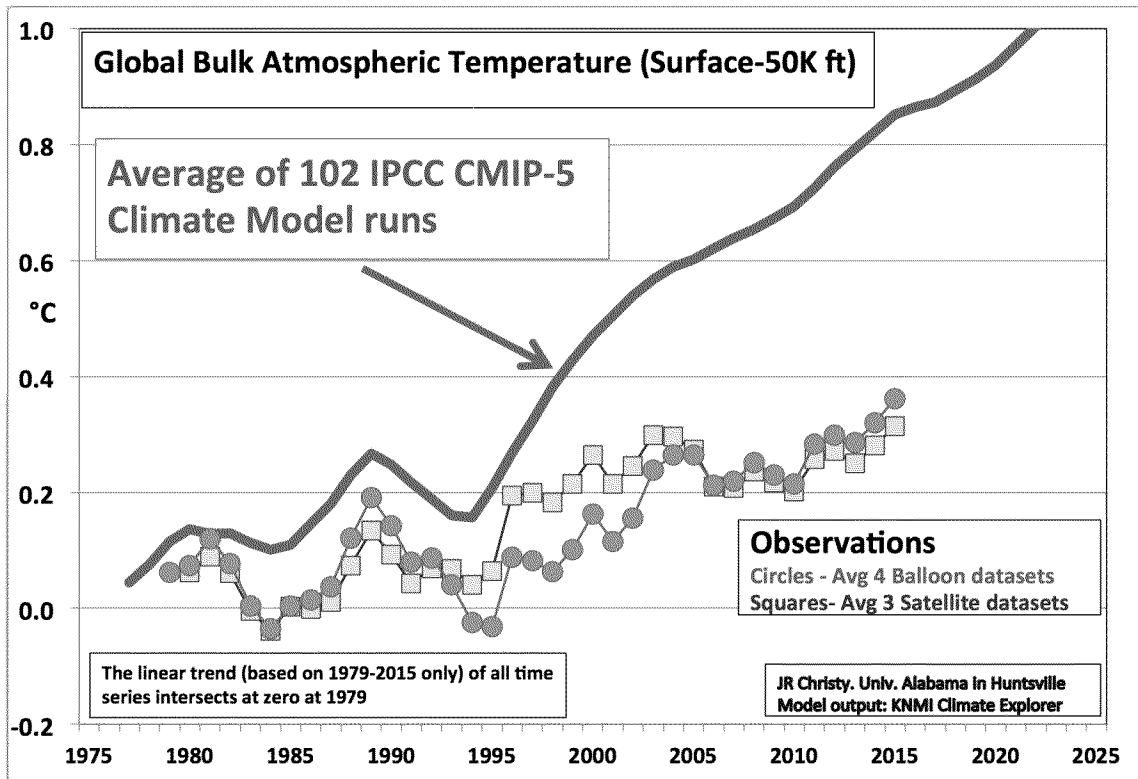


Fig. 1: Five-year averaged values of annual mean (1979-2015) global bulk (termed “mid-tropospheric” or “MT”) temperature as depicted by the average of 102 IPCC CMIP5 climate models (red), the average of 3 satellite datasets (green - UAH, RSS, NOAA) and 4 balloon datasets (blue, NOAA, UKMet, RICH, RAOBCORE).

Because this result challenges the current theory of greenhouse warming in relatively straightforward fashion, there have been several well-funded attacks on those of us who build and use such datasets and on the datasets themselves. As a climate scientist I’ve found myself, along with fellow like-minded colleagues, tossed into a world more closely associated with character assassination and misdirection, found in Washington politics for example, rather than objective, dispassionate discourse commonly assumed for the scientific endeavor. Investigations of us by congress and the media are spurred by the idea that anyone who disagrees with the climate establishment’s view of dangerous climate change must be on the payroll of scurrilous organizations or otherwise mentally

deficient. Also thrust into this milieu is promotional material, i.e., propaganda, attempting to discredit these data (and researchers) with claims that amount to nothing.

Several of these allegations against the data appeared a few weeks ago in the form of a well-made video. I shall address the main assertions with the following material, which in similar form has appeared in the peer-reviewed literature through the years.

The video of interest was promoted by a climate change pressure group (Yale Climate Connections, <http://www.yaleclimateconnections.org/2016/01/over-reliance-on-satellite-data-alone-criticized/>) in which well-known scientists make claims that are mostly meaningless or completely wrong relative to the evidence in Fig. 1. I wish to make four points regarding the video and demonstrate the misdirection for which such agendized videos, along with a happily mimicking media, are so famous.

First, the claim is made the satellites do not measure temperature. In reality, the sensors on satellites measure temperature by emitted radiation - the same method that a physician uses to measure your body temperature to high precision using an ear probe. Atmospheric oxygen emits microwaves, the intensity of which is directly proportional to the temperature of the oxygen, and thus the atmosphere. That the satellites measure temperature is evident by the following chart which compares our UAH satellite data with temperatures calculated from balloon thermistors. As an aside, most surface temperature measurements are *indirect*, using electronic resistance.

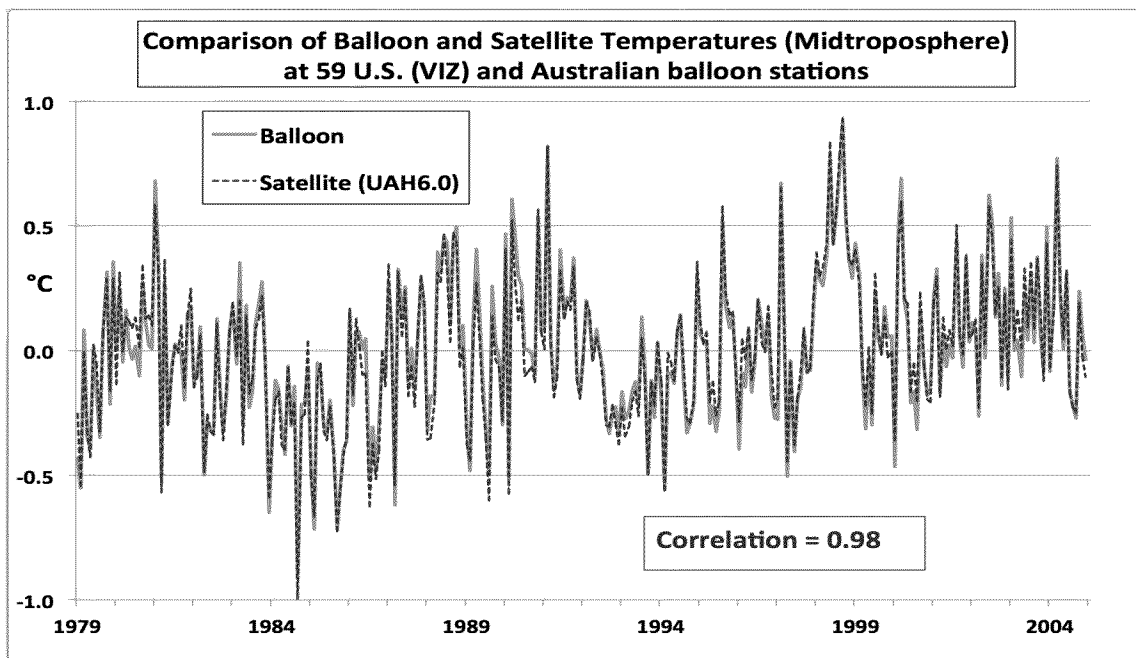


Fig. 2: Average temperature variations measured at 59 radiosonde stations in the U.S. (VIZ manufacturer) and Australia.

Secondly, the scientists claim that the vertical drop (orbital decay) of the satellites due to atmospheric friction causes spurious cooling through time. This vertical fall has an immeasurable impact on the layer (MT) used here and so is a meaningless claim. In much earlier versions of another layer product (LT or Lower Troposphere), this was a problem, but was easily corrected almost 20 years ago. Thus, bringing up issues that affected a different variable that, in any case, was fixed many years ago is a clear misdirection that, in my view, demonstrates the weakness of their position.

Thirdly, the scientists speak of the spurious temperature changes that occur as the satellites drift in the east-west direction, the so-called diurnal drift problem (which was first detected and accounted for by us). They speak of a sign error in the correction procedure that changed the trend. Again, this error was not a factor in the MT layer in Fig. 1, but for the different LT layer. And, again, this issue was dealt with for LT 10 years ago.

Finally, though not specifically mentioned in this video, some of these scientists claim Fig. 1 above is somehow manipulated to hide their belief in the prowess and validity of the climate models. To this, on the contrary, I say that we have displayed the data in its most meaningful way. The issue here is the rate of warming of the bulk atmosphere, i.e., the trend. This metric tells us how rapidly heat is accumulating in the atmosphere – the fundamental metric of global warming. To depict this visually, I have adjusted all of the datasets so that they have a common origin. Think of this analogy: I have run over 500 races in the past 25 years, and in each one all of the runners start at the same place at the same time for the simple purpose of determining who is fastest and by how much at the finish line. Obviously, the overall relative speed of the runners is most clearly determined by their placement as they cross the finish line – but they must all start together.

In the same way I constructed the chart so that the trend line of all of the temperature time series starts at the same point in magnitude and time (zero value at 1979) so the viewer may see how wide the spread is at the finish line (2015). One way to look at this is seen in Fig. 3 where I provide what is seen in Fig. 1 except this is only the trend line without the variations that occur from year due to volcanoes and such. This is analogous to plotting the overall average speed of a runner along the course even though they likely ran slower on an uphill, and faster on a downhill.

This image indicates the models, on average, warm this global layer about 2.5 times faster than the observations indicate. This is a significant difference that has not been

explained and indicates the theory of greenhouse impact on atmospheric temperature is not sufficiently known to even reproduce what has already happened. We are not talking about 10 or 15 years here, but 37 years - well over a third of a century. That two very independent types of measuring systems (balloons and satellites) constructed by a variety of institutions (government, university, private) all showing the much slower rate of warming gives high confidence in its result. Thus, the evidence here strongly suggests the theory, as embodied in models, goes much too far in forcing the atmosphere to retain heat when in reality the atmosphere has a means to relinquish that heat and thus warms at a much slower rate.

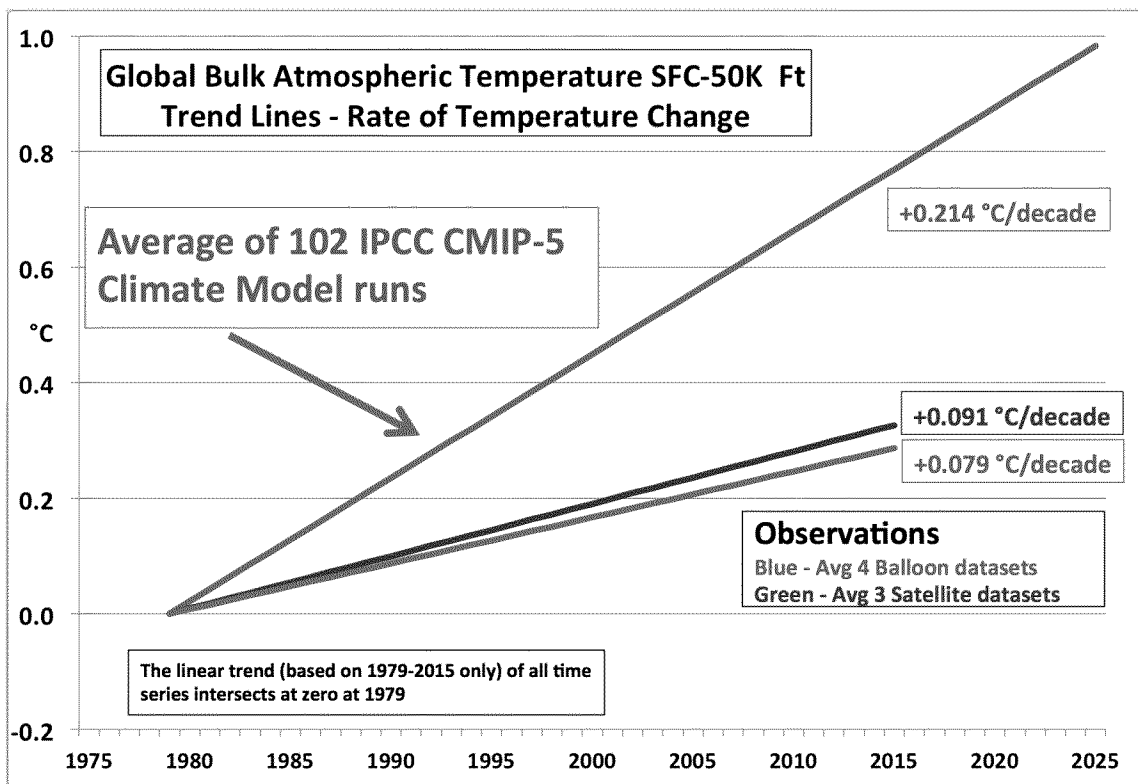


Fig. 3: The linear trend line over the period 1979-2015. The colors represent the same source data as in fig. 1.

I've shown here that for the global bulk atmosphere, the models overwarm the atmosphere by a factor of about 2.5. As a further note, if one focuses on the tropics, the models show an even stronger greenhouse warming in this layer. However, a similar calculation with observations as shown in Fig. 3 indicates the models over-warm the tropical atmosphere by a factor of approximately 3, (Models +0.265, Satellites +0.095, Balloons +0.073 °C/decade) again indicating the current theory is at odds with the facts. (again, see section 2.)

It is a bold strategy in my view to actively promote the output of theoretical climate models while attacking the multiple lines of evidence from observations. Note that none of the observational datasets are perfect and continued scrutiny is healthy, but when multiple, independent groups generate the datasets and then when the results for two completely independent systems (balloons and satellites) agree closely with each other and disagree with the model output, one is left scratching one's head at the decision to launch an offensive against the data. This doesn't make scientific sense to me.

(1.2) Surface temperature issues

There are several issues regarding surface temperature datasets that are too involved to discuss in this material. I shall focus on a few points with which I am familiar and on which I have published.

(1.2.a) Surface temperature as a metric for detecting the influence of the increasing concentrations of greenhouse gases

One of my many climate interests is the way surface temperatures are measured and how surface temperatures, especially over land, are affected by their surroundings. In several papers (Christy et al. 2006 *J. Climate*, Christy et al. 2009 *J. Climate*, Christy 2013 *J. Appl. Meteor. Clim.*, Christy et al. 2016 *J. Appl. Meteor. Clim.*) I closely examined individual stations in different regions and have come to the conclusion that the magnitude of the relatively small signal we seek in human-induced climate change is easily convoluted by the growth of infrastructure around the thermometer stations and the variety of changes these stations undergo through time, as well as the variability of the natural ups and downs of climate. It is difficult to adjust for these contaminating factors to extract a pure dataset for greenhouse detection because often the non-climatic influence comes along very gradually just as is expected of the response to the enhanced greenhouse effect.

In examining ocean temperatures (Christy et al. 2001, *Geophys. Res. Lett.*) I discovered that the trends of the water temperature (1m depth) do not track well with those of the air temperature just above the water (3m), even if both are measured on the same buoy over 20 years. This is important for the discussion below where NOAA used marine air temperatures to adjust water temperature measurements from ships.

There are many other factors that render surface temperature datasets to be of low effectiveness for the detection of enhanced greenhouse warming, (a) lack of systematic geographical coverage in time, (b) unsystematic measuring methods and instrumentation

in time and space, (c) the point measurement represents at best a tiny, local area and (d) is easily impacted by slight changes in the surroundings, which can occur for example when a station moves. There have been huge efforts to try and adjust the raw surface data to give a time series that would represent that of a pristine environment, and I have led or been a part in some of these (e.g. for Central California in Christy et al. 2006 and East Africa in Christy et al. 2009 and Christy 2013).

Thus, having experience in building surface, satellite and balloon temperature datasets, and taking into account the signal we are looking for to detect the enhanced greenhouse effect, the evidence suggests to me that utilizing the bulk atmospheric measurements provides the best opportunity to answer questions about the climate's response to this human-induced change in atmospheric composition. The deep atmosphere is much more coherent in space and time in terms of its variations. It is not affected by human development at the surface. It is measured systematically. To be sure, satellite and balloon temperatures require their own adjustments and cannot be considered "perfect", but do offer an independence from one another to allow direct comparison studies. Regarding the detection of the enhanced greenhouse effect, the troposphere, as indicated by models, happens to be the atmospheric region that will respond the most, i.e. warm the fastest, and thus, in my view, is a metric that provides a better way to detect human influence on the climate.

(1.2.b) The new NOAA surface temperature dataset

A series of papers appeared last year (including Huang et al. 2015 *J. Climate*, Karl et al. 2015 *Science*) describing a new surface temperature dataset constructed by NOAA which indicated a bit more warming in the past 10 to 25 years than the previous versions. The key change dealt with seawater temperatures in the dataset now known as ERSSTv4. This change introduced an additional warming into the record from about 1990 onward. The main reason for this new warming, as the authors note, was the adjustment applied to buoy data, adding about +0.12 °C to the buoy readings. In 1980, only about 10 percent of the data reports were from buoys, but by 2000 about 90 percent were buoy data. Thus, because the influence of the buoy data grew significantly through time, the simple addition of a bias to all the buoys from the beginning created a warmer trend as they became the dominate source of information.

Some background is necessary. Unlike satellite and balloon datasets which measure a systematic quantity (essentially atmospheric air temperature), surface temperature datasets are a mixture of air (over land) and water (over ocean) temperatures measured over a considerable range of instruments, exposures and methods. Over land, weather stations measure the temperature of the air in varying types of instrument shelters and by

varying techniques at a level about 5 ft above the ground. Over the ocean, however, the temperature utilized is that of the water itself, not the air above, so traditional global surface datasets do not measure a homogenous physical parameter over land versus ocean. Further, the depth of the water temperature measurement is quite varied from 2 ft to 50 ft or so, by methods that range from buckets drawn up on deck into which a thermometer is inserted to engine-intake temperatures much deeper in the water and to buoys, drifting or moored to the bottom. So the fact temperature varies by depth is an issue to tackle before the possibility of constructing a systematic dataset may be attempted. Then too, the measurements are not spatially or temporally consistent with large regions, such as Africa and the southern oceans, unmeasured.

Keep in mind that even though the trend of this NOAA dataset became more positive in the past 10 to 20 years, it is still below climate model projections over the longer term. For longer periods, such as the period since 1979 when satellites began measuring bulk atmospheric temperatures, the new global dataset is similar to that of the Hadley Centre (1979-2015: NOAA +0.155 °C/decade, Hadley Centre UKMet, +0.165 °C/decade). However, there are questions that remain concerning the new NOAA seawater dataset, especially how it indicates more warming in the last 20 years than others. Figure 4 displays the ocean trends for the region 20S to 60N (i.e. tropical and northern hemisphere oceans - there was too little data south of 20S for generating near-surface air temperatures there). There are 4 datasets represented, NOAA (NOAA, red), Hadley Centre (HadCRUT4, orange), a preliminary near-surface air temperature over the oceans by my graduate student Rob Junod (yellow) and the UAH deep layer air temperature from satellites (blue). Both NOAA and HadCRUT4 are temperatures of the seawater near the surface, so should be the same.

NOAA used a curious reference variable to calibrate the water temperatures measured from ship intakes – the Night Marine Air Temperature (NMAT). This is curious because there are considerable adjustments required for the NMATs themselves, i.e. corrections for height of ship deck, etc. In any case, from this, the buoy data were then adjusted to match the ship data. It appears, then, that the foundational adjustment process depends on NMATs to adjust the ship data to then adjust the buoy data. The final product from NOAA mixes all of these together, and because the geographic representation of the different systems changed dramatically (as noted, from approximately 10% buoys and 90% ships in 1980 to 90% buoys and 10% ships today – Huang et al. 2015), an adjustment applied to the buoys will automatically influence the trend.

I'm aware that the Committee sought information about this curious process and asked NOAA to generate datasets based only on consistent measuring systems, i.e. ships alone, buoys alone and NMATs alone, to see if one system might have impacted the trends

improperly due to distribution changes. NOAA was unable to accommodate this request. At the same time I asked my graduate student, Rob Junod, to do the work for NMAT. What is presented here is preliminary, but follows much of the previous work on NMATs (developed at the National Oceanographic Centre and the Hadley Centre in the UK) with that added advantage of being updated to 2014. The best geographical data coverage was found to be 20°S to 60°N, so this area was also applied to the other datasets for an apples to apples comparison. The results are shown in Fig. 4 in which all trends end in 2014 but cover periods in two-year increments from 20 years to 10 years.

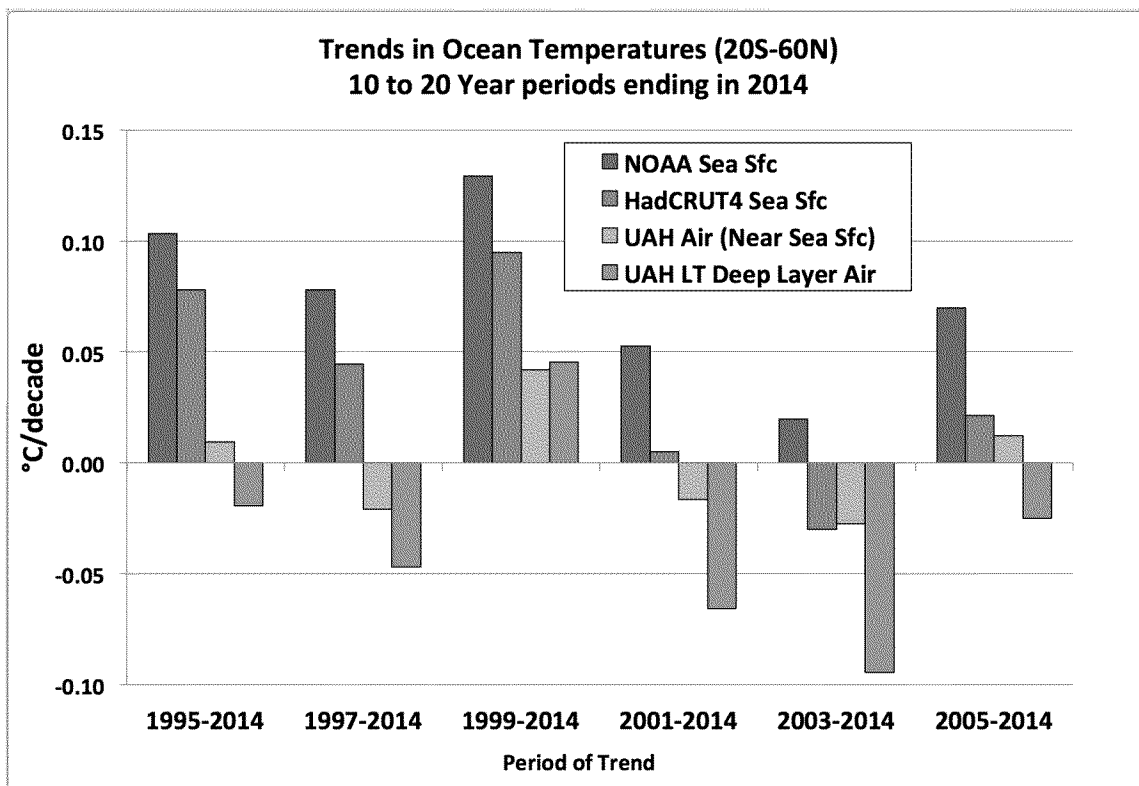


Figure 4. Decadal trends (°C/decade) of four temperature datasets over the oceans from 20°S to 60°N for varying periods ending in 2014. Red and orange are surface seawater temperature datasets from NOAA and the Hadley Centre (HadCRUT4). Yellow is a near-surface air temperature dataset (Night Marine Air Temperature) built by UAH (preliminary). Blue is the temperature trend of the deep atmosphere (surface to 35,000 ft or Lower Troposphere) from microwave emissions captured by satellites (also UAHv6.0b5.)

A number of observations are evident in Fig. 4. (1) In terms of the temperature trend, the air temperatures are less than those of the water (as indicated in my 2001 study mentioned above.) (2) NOAA warms the fastest in all periods. (3) In the past 10-14

years, the trends of the HadCRUT4 agree better with the near-surface air temperature dataset (being near zero and supporting the notion of a hiatus) than with the trends from its physically-identical quantity from NOAA. (4) The magnitude of the NMAT trends lies between the trends of the deep atmospheric and sea water.

This figure generates a number of data quality questions too. (1) If NMATs were used to calibrate the ship temperatures and then the ships were used to calibrate the buoy temperatures, why does the NOAA dataset differ so much from its basic reference point – NMATs? (2) What do the time series look like and what are the sub-period trends for seawater under the condition that only ships and/or only buoys are used to build the dataset for the past 20-25 years? (3) What does the time series of NOAA's NMAT (i.e. their reference) dataset show?

The real science questions here are those which have significant importance to the understanding of how extra greenhouse gases might affect the climate as shown in the following section.

(2) How well do we understand climate change?

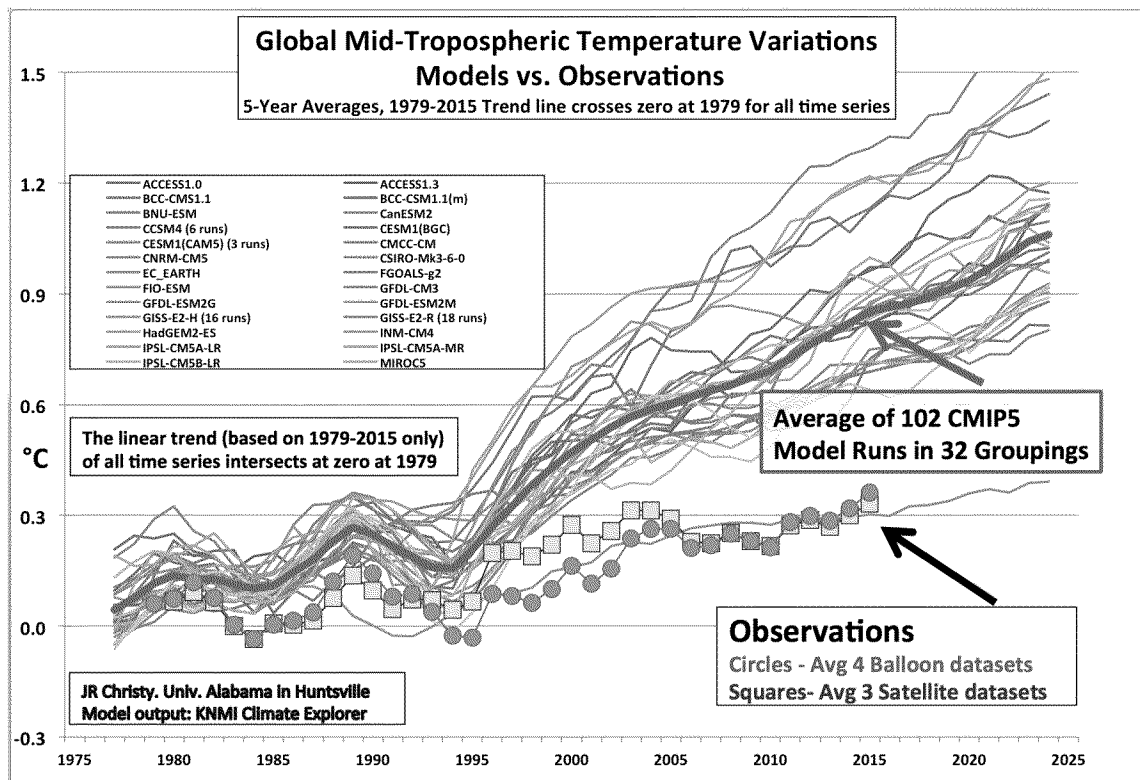
A critical scientific goal in our era is to determine whether emissions from human activities impact the climate and if so by how much. This is made especially difficult because we know the climate system already is subject to significant changes without the influence of humans. Because there is no measuring device that explicitly determines the *cause* of the climate changes we can measure, such as temperature, our science must take a different approach to seek understanding as to what causes the changes, i.e. how much is natural and how much is human induced. The basic approach today utilizes climate models. (The projections of these models are being utilized for carbon policies as well.)

It is important to understand that output from these models, (i.e. projections of the future climate and the specific link that increasing CO₂ might have on the climate) are properly defined as scientific hypotheses or claims – model output cannot be considered as providing proof of the links between climate variations and greenhouse gases. These models are complex computer programs which attempt to describe through mathematical equations as many factors that affect the climate as is possible and thus estimate how the climate might change in the future. The model, it is hoped, will provide accurate responses of the climate variables, like temperature, when extra greenhouse gases are included in the model. However, the equations for nearly all of the important climate processes are not exact, representing the best approximations modelers can devise and that computers can handle at this point.

A fundamental aspect of the scientific method is that if we say we understand a system (such as the climate system) then we should be able to predict its behavior. If we are unable to make accurate predictions, then at least some of the factors in the system are not well defined or perhaps even missing. [Note, however, that merely replicating the behavior of the system (i.e. reproducing “what” the climate does) does not guarantee that the fundamental physics are well-known. In other words, it is possible to obtain the right answer for the wrong reasons, i.e. getting the “what” of climate right but missing the “why”.]

Do we understand how greenhouse gases affect the climate, i.e. the link between emissions and climate effects? As noted above, a very basic metric for climate studies is the temperature of the bulk atmospheric layer known as the troposphere, roughly from the surface to 50,000 ft altitude. This is the layer that, according to models, should warm significantly as CO₂ increases – even faster than the surface. Unlike the surface temperature, this bulk temperature informs us about the crux of the global warming question – how much heat is accumulating in the global atmosphere? And, this CO₂-caused warming should be easily detectable by now, according to models. This provides a good test of how well we understand the climate system because since 1979 we have had two independent means of monitoring this layer – satellites from above and balloons with thermometers released from the surface.

I was able to access 102 CMIP-5 rcp4.5 (representative concentration pathways) climate model simulations of the atmospheric temperatures for the tropospheric layer and generate bulk temperatures from the models for an apples-to-apples comparison with the observations from satellites and balloons. These models were developed in institutions throughout the world and used in the IPCC AR5 Scientific Assessment (2013).



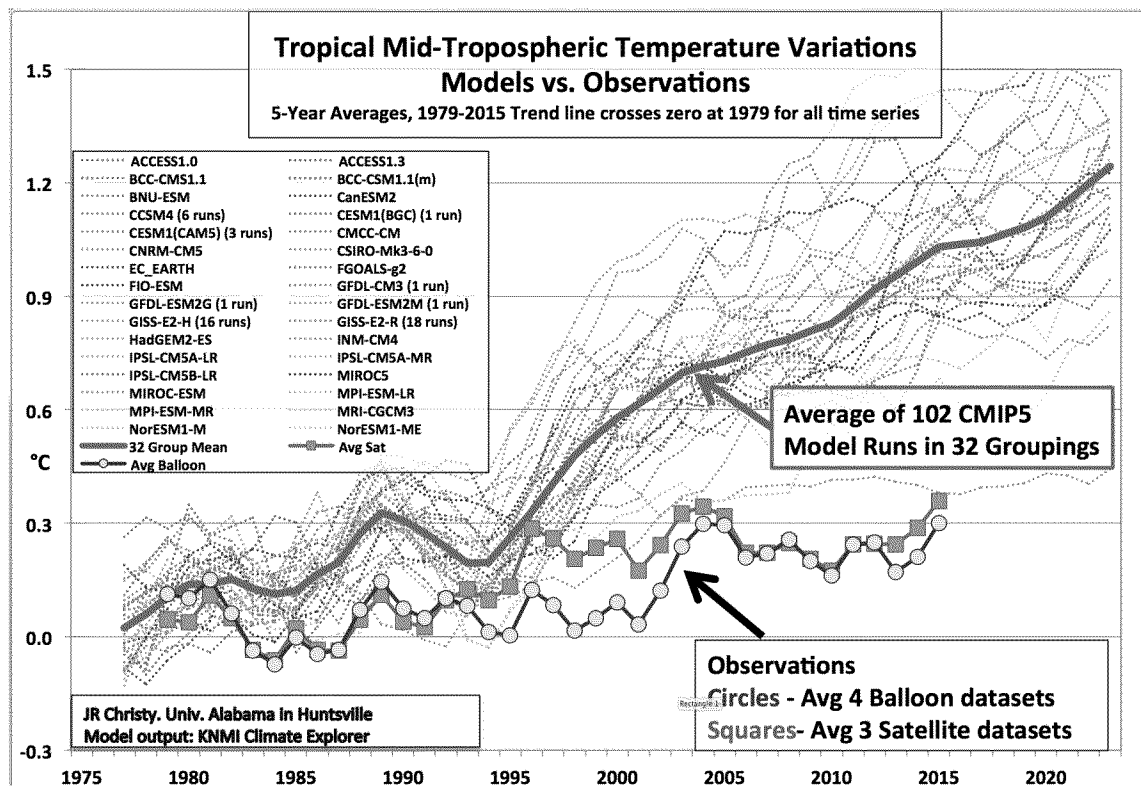
Above: Global average mid-tropospheric temperature variations (5-year averages) for 32 models (lines) representing 102 individual simulations. Circles (balloons) and squares (satellites) depict the observations. The Russian model (INM-CM4) was the only model close to the observations.

The information in this figure provides clear evidence that the models have a strong tendency to over-warm the atmosphere relative to actual observations. On average the models warm the global atmosphere at a rate 2.5 times that of the real world. This is not a short-term, specially-selected episode, but represents the past 37 years, over a third of a century. This is also the period with the highest concentration of greenhouse gases and thus the period in which the response should be of largest magnitude.

Following the scientific method of testing claims against data, we would conclude that the models do not accurately represent at least some of the important processes that impact the climate because they were unable to “predict” what has already occurred. In other words, these models failed at the simple test of telling us “what” has already happened, and thus would not be in a position to give us a confident answer to “what” may happen in the future and “why.” As such, they would be of highly questionable

value in determining policy that should depend on a very confident understanding of how the climate system works.

There is a related climate metric that also utilizes atmospheric temperature which in models has an even larger response than that of the global average shown above. This metric, then, provides a stronger test for understanding how well models perform regarding greenhouse gases specifically. In the models, the tropical atmosphere warms significantly in response to the added greenhouse gases – more so than that of the global average atmospheric temperature.



Above: Tropical average mid-tropospheric temperature variations (5-year averages) for 32 models (lines) representing 102 individual simulations. Circles (balloons) and squares (satellites) depict the observations.

In the tropical comparison here, the disparity between models and observations is even greater, with models on average warming this atmospheric region by a factor of three times greater than in reality. Such a result re-enforces the implication above that the models have much improvement to undergo before we may have confidence they will provide information about what the climate may do in the future or even why the climate

varies as it does. For the issue at hand, estimates of how the global temperature might be affected by emission reductions from regulations would be exaggerated and not reliable.

(3) Climate Impact of Regulations (i.e. Paris) Will Not Be Attributable or Detectable

No one knows the climate impact of the proposed carbon emission reductions agreed to in Paris. The main reason for this is that there is considerable latitude for countries to do as little or as much as they desire. Examining the history of global carbon emissions, it is clear that countries, especially developing countries, will continue to seek to expand energy use through carbon combustion because of their affordability in providing considerable positive benefits to their citizens.

In any case, impact on global temperature for current and proposed reductions in greenhouse gases will be tiny at best. To demonstrate this, let us assume, for example, that the total emissions from the United States were reduced to zero, as of last May 13th, 2015 (the date of a hearing at which I testified). In other words as of that day and going forward, there would be no industry, no cars, no utilities, no people – i.e. the United States would cease to exist as of that day. Regulations, of course, will only reduce emissions a small amount, but to make the point of how minuscule the regulatory impact will be, we shall simply go way beyond reality and cause the United States to vanish. With this we shall attempt to answer the question of climate change impact due to emissions reductions.

Using the U.N. IPCC impact tool known as Model for the Assessment of Greenhouse-gas Induced Climate Change or MAGICC, graduate student Rob Junod and I reduced the projected growth in total global emissions by U.S. emission contribution starting on this date and continuing on. We also used the value of the equilibrium climate sensitivity as determined from empirical techniques of 1.8 °C. After 50 years, the impact as determined by these model calculations would be only 0.05 to 0.08 °C – an amount less than that which the global temperature fluctuates from month to month. [These calculations used emission scenarios A1B-AIM and A1F-MI with U.S. emissions comprising 14 percent to 17 percent of the 2015 global emissions. There is evidence that the climate sensitivity is less than 1.8 °C, which would further lower these projections.]

As noted, the impact on global emission and global climate of the recent agreements in Paris regarding global emissions is not exactly quantifiable. Knowing how each country will behave regarding their emissions is essentially impossible to predict besides the added issue of not knowing how energy systems themselves will evolve over time.

Because halting the emissions of our entire country would have such a tiny calculated impact on global climate, it is obvious that fractional reductions in emissions through regulation would produce imperceptible results. In other words, there would be no evidence in the future to demonstrate that a particular climate impact was induced by the proposed and enacted regulations. Thus, the regulations will have no meaningful or useful consequence on the physical climate system – even if one believes climate models are useful tools for prediction.

Summary

Climate change is a wide-ranging topic with many difficulties. Our basic knowledge about what the climate is doing (i.e. measurements) is plagued by uncertainties. In my testimony today I have given evidence that the bulk atmospheric temperature is measured well-enough to demonstrate that our understanding of how greenhouse gases affect the climate is significantly inadequate to explain the climate since 1979. In particular, the actual change of the fundamental metric of the greenhouse warming signature – the bulk atmospheric temperature where models indicate the most direct evidence for greenhouse warming should lie - is significantly misrepresented by the models. Though no dataset is perfect, the way in which surface datasets have been constructed leaves many unanswered questions, especially for the recent NOAA update which shows more warming than the others. Finally, regulations already enforced or being proposed, such as those from the Paris Agreement, will have virtually no impact on whatever the climate is going to do.

Appendix A

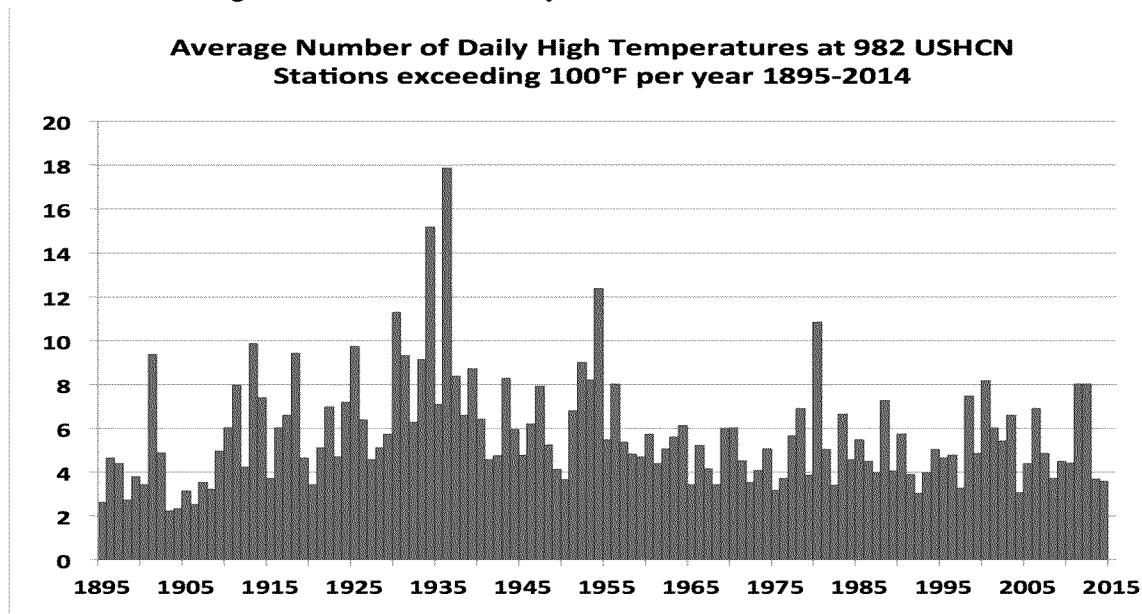
This appendix is an extract from my written testimony presented at the following Hearing:

U.S. Senate Committee on
Commerce, Science, & Transportation
Subcommittee on Space, Science and Competitiveness
8 Dec 2015
Testimony of John R. Christy
University of Alabama in Huntsville.

Alleged impacts of human-induced climate changes regarding extreme events

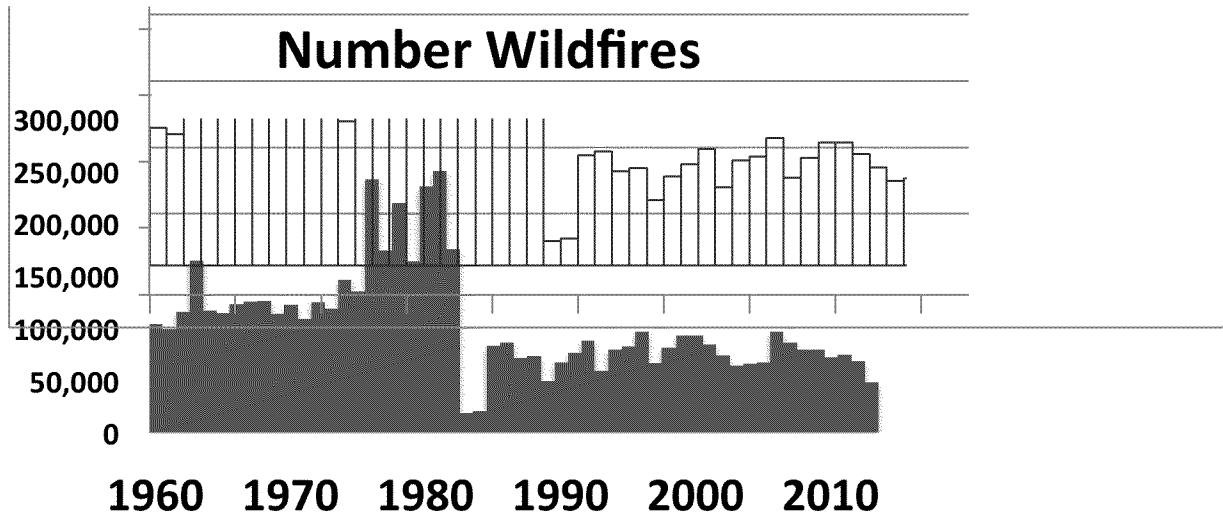
Much of the alarm related to increasing greenhouse gas concentrations shifted in the past decade from global temperature changes to changes in extreme events, i.e. those events which typically have a negative impact on the economy. These events may be heat waves, floods, hurricanes, etc.

In terms of heat waves, below is the number of 100 °F days observed in the U.S. from a controlled set of weather stations. It is not only clear that hot days have not increased, but it is interesting that in the most recent years there has been a relative dearth of them.

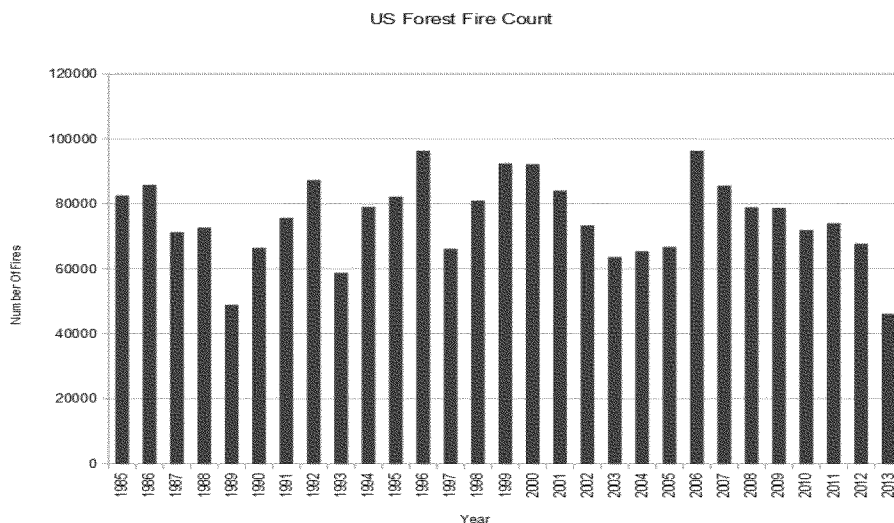


Above: Average number of days per-station in each year reaching or exceeding 100°F in 982 stations of the USHCN database (NOAA/NCEI, prepared by JRChristy).

Forest and wild fires are documented for the US. The evidence below indicates there has not been any change in frequency of wildfires. Acreage (not shown) shows little change as well.



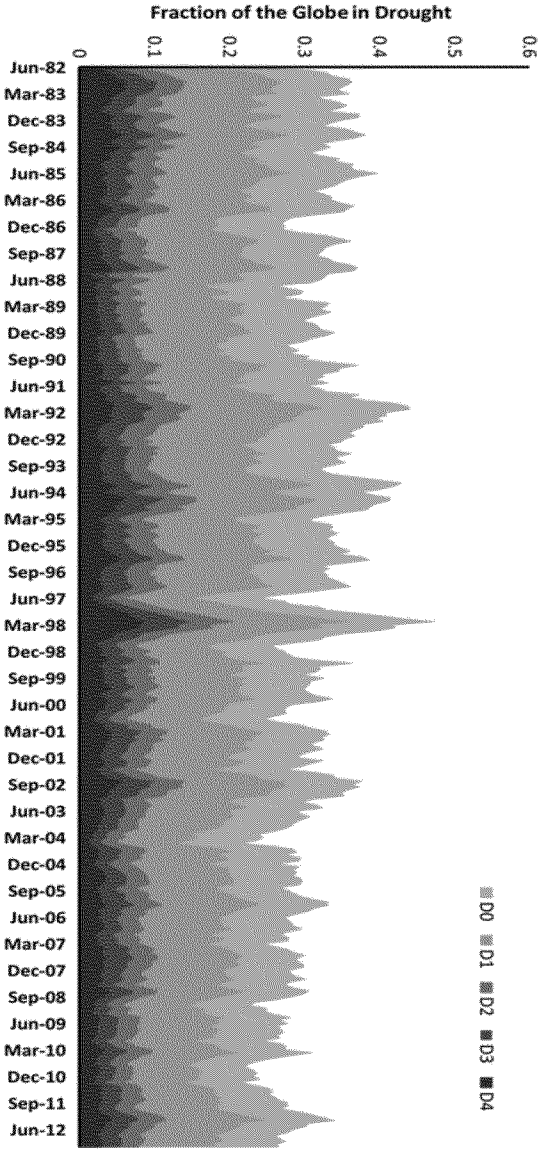
Above: Number of U.S. wildfires. As the management of these events changes, and thus the number also changes, but the number of events since 1985 has remained constant. (National Interagency Fire Center <https://www.nifc.gov/fireInfo/nfn.htm>)



Above: Number of U.S. forest fires per year since 1965.

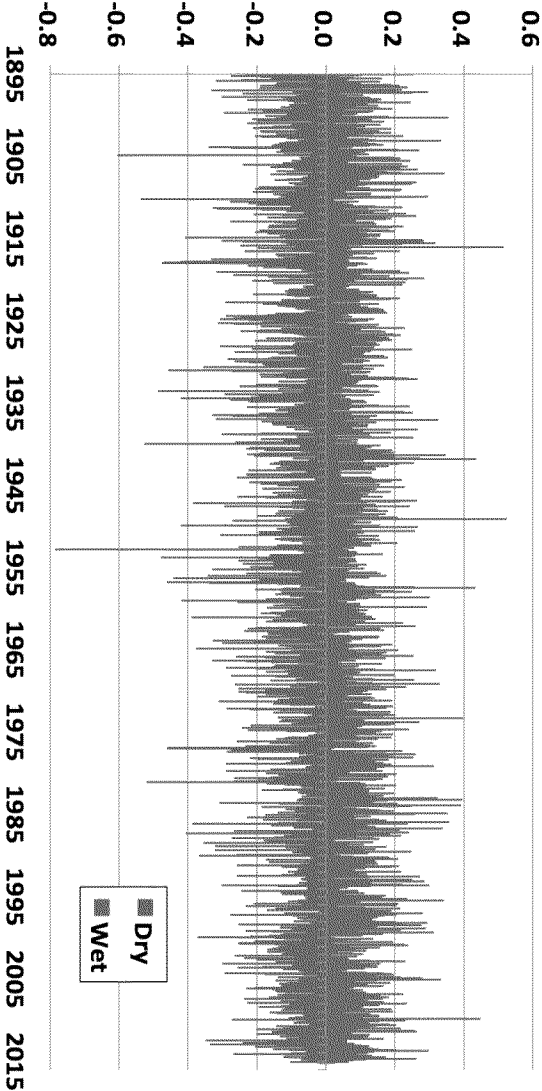
The two figures above demonstrate that fire events have not increased in frequency in the United States during the past several decades.

The claims that droughts and floods are increasing may be examined by the observational record as well.



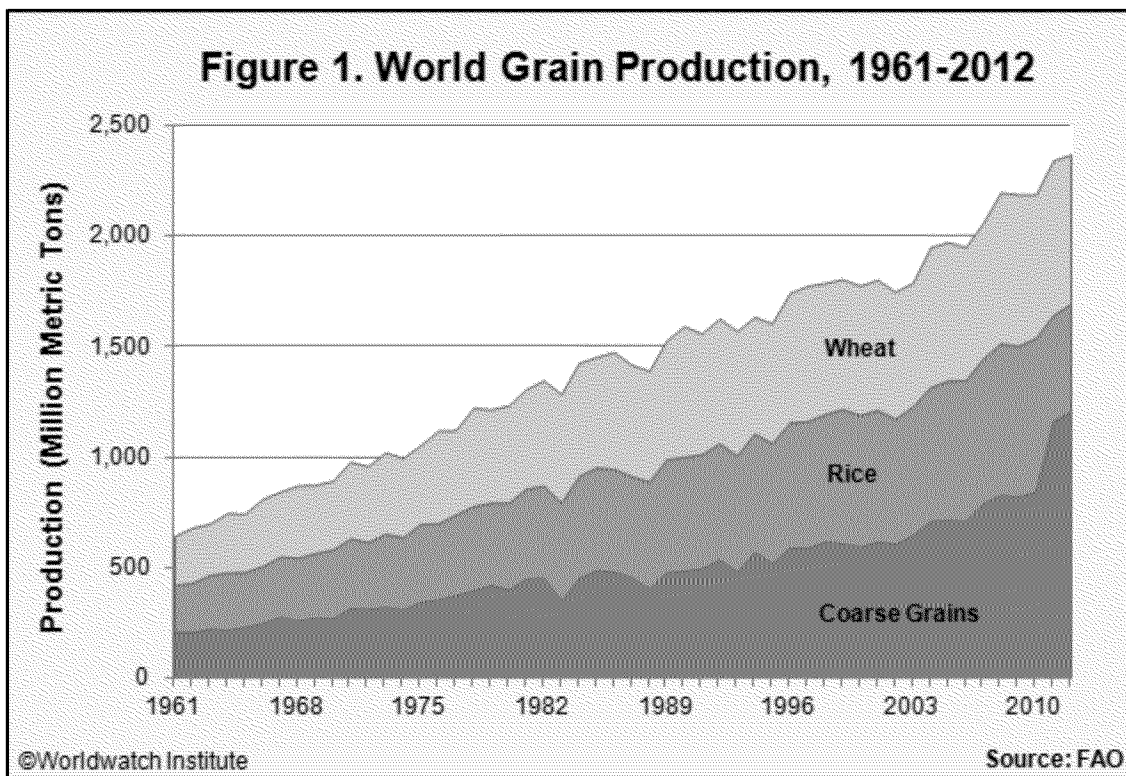
Above: Global areal extent of five levels of drought for 1982-2012 where dryness is indicated in percentile rankings with $D0 < 30$, $D1 < 20$, $D2 < 10$, $D3 < 5$ and $D4 < 2$ percentile of average moisture availability. (Hao et al. 2014)

Monthly Fraction of US with Very Wet (floods) or Very Dry (drought) Conditions
Jan 1895 – Feb 2015 NOAA/NCDC



Above: Areal fraction of conterminous U.S. under very wet (blue) or very dry (red) conditions. NOAA/NCEI.

The two figures above demonstrate that moisture conditions have not shown a tendency to have decreased (more drought) or increased (more large-scale wetness). Such information is rarely consulted when it is more convenient simply to make unsubstantiated claims that moisture extremes, i.e. droughts and floods (which have always occurred), are somehow becoming even more extreme. Over shorter periods and in certain locations, there is evidence that the heaviest precipitation events are tending to be greater. This is not a universal phenomenon and it has not been established that such changes may be due to changes in greenhouse gas concentrations as demonstrated earlier because the model projections are unable to reproduce the simplest of metrics.



Above: World grain production 1961-2012. U.N. Food and Agriculture Organization.

It is a simple matter to find documentation of the ever-rising production of grains. One wonders about the Federal Council on Environmental Quality's allegation that there has been "harm to agriculture" from human-induced climate change because when viewing the total growth in production, which appears to be accelerating, one would assume no "harm" has been done during a period of rising greenhouse gases.

With the evidence in these examples above, it is obviously difficult to establish the claims about worsening conditions due to human-caused climate change, or more generally that any change could be directly linked to increasing CO₂. This point also relates to the issue of climate model capability noted earlier. It is clear that climate models fall short on some very basic issues of climate variability, being unable to reproduce “what” has happened regarding global temperature, and therefore not knowing “why” any of it happened. It is therefore premature to claim that one knows the causes for changes in various exotic measures of weather, such as rainfall intensity over short periods, which are not even explicitly generated in climate model output.

The Disappointing Scientific Process

I have written much for previous congressional hearings and other venues about the failure of the scientific community to objectively approach the study of climate and climate change. (See Appendix) Climate science is a murky science with large uncertainties on many critical components such as cloud distributions and surface heat exchanges. As mentioned above, there is no objective instrumentation that can tell us “why” changes occur. That being the case, we are left with hypotheses (claims) to put forward and then to test. The information given above, in my view, is clear evidence that the current theoretical understanding of “why” the climate changes, as embodied in models (and on which current policy is based), fails such tests. Indeed, the theoretical (model) view as expressed in the IPCC AR5 in every case overestimated the bulk tropical atmospheric temperature response of extra greenhouse gases (see above and IPCC Supplementary Material Figure 10.SM.1) indicating the theoretical understanding of the climate response is too sensitive to greenhouse gases.

One problem with our science relates to the funding process for climate studies, the vast majority of which is provided through federal agencies. Funding decisions are decided by people, and people have biases. Our science has also seen the move toward “consensus” science where “agreement” between people and groups is elevated above determined, objective investigation. The sad progression of events here has even led to congressional investigations designed to silence (with some success) those whose voices, including my own, have challenged the politically-correct views on climate (i.e. congressional investigation by Rep. Grijalva, 22 Feb 2015, <http://www.scribd.com/doc/256811029/Letter-to-UAH-re-John-Christy>.)

Today, funding decisions are made by review panels. In this process, many proposals for funding are submitted to the agencies, but the agencies only have a fraction of the funds available to support the proposals, so only a few proposals can be funded and these are selected by panels. In the area of climate, it is clear the agencies are convinced of the

consensus view of dangerous climate change as indicated by their various statements and press releases on the issue. Therefore, when a contrarian proposal is submitted that seeks to discover other possible explanations besides greenhouse gases for the small changes we now see, or one that seeks to rigorously and objectively investigate climate model output, there is virtually no chance for funding. This occurs because the panel determines by majority vote whom to fund, and with tight competition, any bias by just a couple of panel members against a contrarian proposal is sufficient for rejection. Of course, the agencies will claim all is done in complete objectivity, but that would be precisely the expected response of someone already within the “consensus” and whose agency has stated its position on climate change. This brings me to “consensus science.”

The term “consensus science” will often be appealed to regarding arguments about climate change to bolster an assertion. This is a form of “argument from authority.” Consensus, however, is a political notion, not a scientific notion. As I testified to the Inter-Academy Council in June 2010, wrote in *Nature* that same year (Christy 2010), and documented in my written testimony for several congressional hearings (e.g., House Space, Science and Technology, 31 Mar 2011) the IPCC and other similar Assessments do not represent for me a consensus of much more than the consensus of those selected to agree with a particular consensus.

The content of these climate reports is actually under the control of a relatively small number of individuals - I often refer to them as the “climate establishment” – who through the years, in my opinion, came to act as *gatekeepers* of scientific opinion and information, rather than *brokers*. The voices of those of us who object to various statements and emphases in these assessments are by-in-large dismissed rather than accommodated. This establishment includes the same individuals who become the “experts” called on to promote IPCC claims in government reports such as the endangerment finding by the Environmental Protection Agency.

As outlined in my previous testimonies, these “experts” become the authors and evaluators of their own research relative to research which challenges their work. This becomes an obvious conflict of interest. But with the luxury of having the “last word” as “expert” authors of the reports, alternative views vanish. This is not a process that provides the best information to the peoples’ representatives. The U.S. Congress must have the full range of views on issues such as climate change which are (a) characterized by considerable ambiguity (see model results) (b) used to promote regulatory actions which will be economically detrimental to the American people and, most ironically, (c) will have no impact on whatever the climate will do.

I've often stated that climate science is a "murky" science. We do not have laboratory methods of testing our hypotheses as many other sciences do. As a result what passes for science includes, opinion, arguments-from-authority, dramatic press releases, and fuzzy notions of consensus generated by preselected groups. This is not science.

We know from Climategate emails and many other sources that the IPCC has had problems with those who take different positions on climate change than what the IPCC promotes. There is another way to deal with this however. Since the IPCC activity and climate research in general *is* funded by U.S. taxpayers, then I propose that five to ten percent of the funds be allocated to a group of well-credentialed scientists to produce an assessment that expresses legitimate, alternative hypotheses that have been (in their view) marginalized, misrepresented or ignored in previous IPCC reports (and thus the EPA Endangerment Finding and National Climate Assessments).

Such activities are often called "Red Team" reports and are widely used in government and industry. Decisions regarding funding for "Red Teams" should not be placed in the hands of the current "establishment" but in panels populated by credentialed scientists who have experience in examining these issues. Some efforts along this line have arisen from the private sector (i.e. *The Non-governmental International Panel on Climate Change* at <http://nipccreport.org/> and Michaels (2012) *ADDENDUM: Global Climate Change Impacts in the United States*). I believe policymakers, with the public's purse, should actively support the assembling all of the information that is vital to addressing this murky and wicked science, since the public will ultimately pay the cost of any legislation alleged to deal with climate.

Topics to be addressed in this "Red Team" assessment, for example, would include (a) evidence for a low climate sensitivity to increasing greenhouse gases, (b) the role and importance of natural, unforced variability, (c) a rigorous and independent evaluation of climate model output, (d) a thorough discussion of uncertainty, (e) a focus on metrics that most directly relate to the rate of accumulation of heat in the climate system, (f) analysis of the many consequences, including benefits, that result from CO₂ increases, and (g) the importance that affordable and accessible energy has to human health and welfare.

What this proposal seeks is to provide to the Congress and other policymakers a parallel, scientifically-based assessment regarding the state of climate science which addresses issues which here-to-for have been un- or under-represented by previous tax-payer funded, government-directed climate reports. In other words, our policymakers need to see the entire range of findings regarding climate change.

Summary of Extract

The messages of the two points outlined in the extract above are: (1) the claims about increases in frequency and intensity of extreme events are generally not supported by actual observations and, (2) official information about climate science is largely controlled by agencies through (a) funding choices for research and (b) by the carefully-selected (i.e. biased) authorship of reports such as the EPA Endangerment Finding and the National Climate Assessment.



May 13, 2019

Vincia Holloman
Director of the Environmental Quality Management Division
Office of Environmental Information
U.S. EPA Headquarters
1200 Pennsylvania Ave., NW
Mail Code 2821T
Washington, DC 20460
Email: quality@epa.gov

Re: Information Quality Act Correction Request Regarding EPA's 2009 GHG Endangerment Finding

The Competitive Enterprise Institute (CEI) submits this request for correction under the Information Quality Act (IQA), 114 Stat. 2763, section 515, as implemented through EPA and Office of Management and Budget (OMB) guidelines. These guidelines were expanded by OMB in a memorandum issued on April 24, 2019.

Under OMB's new requirements, **"agencies will not take more than 120 days to respond to an RFC without the concurrence of the party that requested the request for correction."** For this reason, we expect a response to this request for correction (RFC) within 120 days. In addition, the new OMB guidelines require that, "The agency response should contain a point-by-point response to any data quality arguments contained in the RFC and should refer to a peer review that directly considered the issue being raised, if available." Furthermore, "Agencies should share draft responses to RFCs and appeals with OMB prior to release to the requestor for assessment of compliance with the above norms." Thus, responses to correction requests now need to be reviewed in advance by OMB sufficiently in advance of the 120-day deadline.

We ask EPA to determine that its 2009 GHG Endangerment Finding and supporting Technical Support Document (TSD) do not meet the requirements of the Information Quality Act. As discussed at the end of this document, EPA's Inspector General found many of these deficiencies in a 2011 report to the agency. EPA's response to those findings was inadequate, and those inadequacies are even more obvious in light of OMB's latest guidelines.

Despite this, the 2009 GHG Endangerment Finding and TSD are still being distributed and relied upon by EPA and as such are subject to correction requests under the IQA. *See, e.g.,* <https://www.epa.gov/ghgemissions/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-clean-air-act>. For the reasons described below, the deficiencies should be corrected,

and EPA should cease distributing its Endangerment Finding and TSD until they have gone through the proper peer review process.

The 2009 GHG Endangerment Finding Is a Highly Influential Scientific Assessment

When EPA issued its 2009 GHG Endangerment Finding, it failed to explain whether it or the accompanying the TSD were “highly influential scientific assessments” (HISA) or whether instead they merely contained “influential scientific information”. As is shown below, both documents are properly viewed as HISAs. This triggers a number of Information Quality requirements that EPA failed to follow.

The 2009 GHG Endangerment Finding is a scientific assessment.

In the 2009 Endangerment Finding and TSD, EPA evaluated the current state of the science in making its determination; for this reason, these documents are clearly scientific assessments. According to OMB’s *Final Information Quality Bulletin for Peer Review*, 70 FR 2664 (2005), (“OMB 2005 Final Memo”), “The term ‘scientific assessment’ means an evaluation of a body of scientific or technical knowledge, which typically synthesizes multiple factual inputs, data, models, assumptions, and/ or applies best professional judgment to bridge uncertainties in the available information. These assessments include, but are not limited to, **state-of-science reports**; ... weight-of-evidence analyses; meta-analyses; health, safety, or ecological risk assessments.” *Id.* at 2666 (emphasis added).

This characterization of the Endangerment Finding and TSD was ironically supported by EPA itself; in 2010, it stated that it “did not passively and uncritically accept a scientific judgment or conclusion supplied to it by outsiders.” *EPA’s Response to the Petitions to Reconsider the Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act*, 75 FR 49555, 49581 (2010). Instead, it admitted that it “evaluated all of the scientific information before it, determined the current state of the science on greenhouse gases ... and the degree of scientific consensus on this science.” *Id.* In short, EPA produced a report on the “state of the science on greenhouse gases”, and such “state-of-science reports” are scientific assessments and must comply with the OMB rules for such assessments.

The 2009 GHG Endangerment Finding has been highly influential.

The OMB 2005 Final Memo defines a “highly influential scientific assessment” (HISA) as those scientific assessments which “(i) Could have a potential impact of more than \$500 million in any year, or (ii) Is novel, controversial, or precedent-setting or has significant interagency interest.” 70 FR 2671.

Many of the regulations issued based on the 2009 GHG Endangerment Finding had more than a \$500 million potential impact and as such it must be considered a HISA. To take but one instance, the “Clean Power” Plan, based on the 2009 GHG Endangerment Finding, was estimated by EPA to cost \$2.5 billion in compliance costs in 2020, \$3.0 billion in 2025, and \$8.4 billion in 2030. The Clean Power Plan relied upon the 2009 GHG Endangerment Finding.

Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, 80 FR 64661, 64679 (2015). These costs far exceed the \$500 million threshold for a HISA. In the Medium/Heavy Duty GHG Emission rules, EPA estimated it would cost \$6.5 billion in Vehicle Program Costs in 2040 and \$7.5 billion in 2050 (both using 2013 dollars). Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles-Phase 2, 81 FR 73478, 73482 (2016). The Light-Duty car emission costs are no better. EPA estimated \$2 billion in annual technology costs for cars in 2017 (in 2010 dollars). 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, 77 FR 62623, 62920 (2012). Those costs increase to \$27 billion in 2050 (undiscounted 2010 dollars). *Id.* Many other similar regulatory actions relying upon the Endangerment Finding have costs exceeding \$500 million.

The 2009 GHG Endangerment Finding was also novel, controversial, and precedent-setting; as such, it is a HISA on that basis as well. That there have been more than a dozen petitions for reconsideration by various organizations shows how controversial this decision was and continues to be. 75 FR 49555 (denial of ten petitions in 2010); <https://bit.ly/2PYW7ed> (pending petition of the Competitive Enterprise Institute and the Science and Environmental Policy Project); <https://bit.ly/2HbAiFz> (pending petition of the Concerned Household Electricity Consumers Council); <https://bit.ly/2PWrf16> (pending petition of the Texas Public Policy Foundation). As to its novel nature, never before had EPA issued an Endangerment Finding under the Clean Air Act for a greenhouse gas. And as to its precedent-setting nature, EPA used the 2009 GHG Endangerment Finding as precedent in its 2015 point source assessment of electric generating units. 80 FR 64509, 64517. The inter-agency interests are also massive, given the duty of NHTSA and other agencies to regulate in other areas involving GHGs, such as CAFE.

EPA's failure to properly apply OMB Information Quality standards led to a variety of problems with the peer review process, all in violation of the IQA. These violations include:

- 1) **EPA did not consider allowing the public, including scientific and professional societies, to nominate potential reviewers.** Per Section III, part 3(a), of OMB 2005 Final Memo, "Agencies shall consider requesting that the public, including scientific and professional societies, nominate potential reviewers." 70 FR 2675. That was not done by EPA for the 2009 Endangerment Finding. The EPA Inspector General report, discussed below on pages 6-7, stated that "the Agency did not consider asking the public to nominate reviewers." But EPA utilized an entirely internal process with no consideration given to outside nomination of peer reviewers.

The OMB 2005 Final Memo requires that, "The group of reviewers shall be sufficiently broad and diverse to fairly represent the relevant scientific and technical perspectives and fields of knowledge." However, with respect to the Endangerment Finding, all of the peer reviewers were federal employees rather than a "broad and diverse" group. No member of the public, including any private sector scientist, engineer or other profession, was on

the peer review panel. This is the likely result of a process that excludes such individuals in the selection of who the peer reviewers are, as occurred here.

- 2) **The peer review panel had a substantial conflict of interest because it was largely reviewing its own work.** Under Section III, part 3(b), of the OMB 2005 Final Memo, the agency is responsible for making sure the peer review panel has no conflicts of interest in evaluating the material it reviews. 70 FR 2676. But for the 2009 Endangerment Finding, the individuals selected for the peer review panel by EPA had leading roles in developing the assessment reports cited in that document. For instance, Susan Solomon was the Co-Chair of the IPCC AR4 Working Group I relied upon by EPA. Another example is Virginia Burkett, who both was an author on IPCC AR4 WGII and the USGCRP report relied upon by the 2009 Endangerment Finding TSD. They were effectively asked to judge their own work.

This approach is contrary to EPA's own procedures at the time. "Since it would probably result in a perceived, if not real, conflict of interest, the group that is generating the work product usually cannot conduct or perform the peer review of its own work product." EPA, Agency Peer Review Handbook, 3rd Edition, pg. 37, <https://bit.ly/2W3oTQF> (a newer version of the report was issued in 2015, but the 3rd edition was used at the time). The handbook notes that a conflict of interest exists "when their professional standing and status or the significance of their principal area of work might be affected by the outcome of the peer review." *Id.* at 64. Likewise, the National Academy of Sciences' policy on conflict of interests notes "an individual should not serve as a member of a committee with respect to an activity in which a critical review and evaluation of the individual's own work, or that of his or her immediate employer, is the central purpose of the activity, because that would constitute a conflict of interest." National Academy of Sciences, Conflict of Interest Policy, <http://www.nationalacademies.org/coi/>. The relationship between the peer reviewers and the authorities that the 2009 Endangerment Finding claimed to "most heavily rely upon" are shown in Attachment A.

- 3) **The peer review panel was not sufficiently independent as it contained an EPA employee.** Under Section III, part 3(c), of the OMB 2005 Final Memo, "the agency—or entity selecting the reviewers—shall bar participation of scientists employed by the sponsoring agency unless the reviewer is employed only for the purpose of conducting the peer review (i.e., special government employees)." 70 FR 2676. One of the 12 peer reviewers for the 2009 GHG Endangerment Finding was an employee of EPA and was not hired just for peer review, which clearly violates this requirement.
- 4) **The public was not allowed to participate in the peer review process.** Under Section III, part 5, of the OMB 2005 Final Memo:

Whenever feasible and appropriate, the agency shall make the draft scientific assessment available to the public for comment at the same time it is submitted for peer review (or during the peer review process) and sponsor a public meeting

where oral presentations on scientific issues can be made to the peer reviewers by interested members of the public. When employing a public comment process as part of the peer review, the agency shall, whenever practical, provide peer reviewers with access to public comments that address significant scientific or technical issues.

70 FR 2676.

This simply was not done by EPA. EPA never allowed the public to participate in the peer review process. EPA did not allow the draft scientific assessment to be available to the public when it was submitted for peer review. EPA did not sponsor a public meeting or make public comments on the draft available to the peer reviewers. It didn't even try to comply with the OMB guidelines in this area.

In fact, the peer review panel's questions and responses have never been made public. This is despite the OMB 2005 Final Memo, which states: "When peer review of government reports is considered, the case for transparency is stronger, particularly when the report addresses an issue with significant ramifications for the public and private sectors." 70 FR 2670.

- 5) **No Peer Review Report was prepared.** The OMB 2005 Final Memo states "Section III(6) requires that agencies instruct reviewers to prepare a peer review report that describes the nature and scope of their review and their findings and conclusions." 70 FR 2672. No peer review report was done, nor was the panel instructed to create such a report by EPA, as required to do by OMB guidelines.
- 6) **EPA failed to certify how it was complying with the IQA.** Section VII of the OMB 2005 Final Memo requires an agency to include in the administrative record a certification explaining how the agency complied with the OMB IQA peer review requirements. 70 FR 2673. EPA failed to do so, and as such did not provide an opportunity for the public to comment on whether the method used by the agency was sufficient.
- 7) **EPA did not state how the underlying information supporting the Endangerment Finding met the requirements of the OMB Information Quality Bulletin for Peer Review.** Under the OMB 2005 Final Memo, and as emphasized in the OMB guidelines issued on April 24, 2019, "When using scientific information, including third-party data or models, to support their policies, agencies must ensure compliance with the requirements of OMB's Information Quality Bulletin for Peer Review." EPA failed to explain why the use of the data and models of the IPCC, NRC, and USGCRP meet the requirements of the OMB Information Quality Bulletin. EPA just assumed that its peer review procedures are adequate, while the guidelines only presume that NAS peer review procedures are adequate.
- 8) **IPCC peer review is not adequate to satisfy OMB guidelines on conflict of interest requirements to be used.** As noted above, the new OMB guidelines require that "When

using scientific information, including third-party data or models, to support their policies, agencies must ensure compliance with the requirements of OMB's Information Quality Bulletin for Peer Review.” The OMB 2005 Final Memo, in Section II part (3)(b), on conflicts of interest require that “in selecting peer reviewers who are not government employees, adopt or adapt the National Academy of Sciences policy for committee selection with respect to evaluating the potential for conflicts.”

The National Academy of Sciences policy for committee selection requires that:
at the time of appointment, each committee member is required to list all professional, consulting, and financial connections, as well as to describe pertinent intellectual positions and public statements by filling out a confidential form, ‘Background Information and Confidential Conflict of Interest Disclosure.’ The committee appointment is not finalized until the institution completes a review of information regarding potential conflicts of interest and bias.

National Academies, Getting to Know the Committee Process, pg. 6,
https://sites.nationalacademies.org/cs/groups/dbassesite/documents/webpage/dbasse_086051.pdf.

No such information or form is required from members of the IPCC peer review committees. As such, the IPCC does not meet the OMB requirements for peer review selection for conflicts of interest and cannot be directly relied upon under the IQA as EPA did in this case. When questioned about this by the IG, EPA admitted that “IPCC procedures do not explicitly contain ‘conflict of interest’ language.” IG Report pg. 70. While EPA said it was not aware of any conflicts of interest affecting the quality of IPCC reports, the OMB requirements ensure such problems do not occur in the first place by requiring the safeguards used by the National Academy of Sciences. As there is not appropriate conflict of interest protection in the IPCC procedures, under the OMB guidelines, an EPA peer review panel would have to evaluate the scientific basis of IPCC’s conclusions.

The failures by EPA to do a proper peer review as required by the OMB and EPA guidelines for the 2009 GHG Endangerment Finding undermine the quality of the information disseminated by EPA.

EPA’s Inspector General Concluded EPA Failed to Follow IQA Guidelines

Less than two years after EPA issued its Endangerment Finding, the EPA Inspector General did an independent evaluation of whether EPA properly followed OMB peer review guidelines. He found that EPA had failed to do so. According to the Inspector General: “We interpreted OMB’s guidance to indicate that the TSD was a highly influential scientific assessment. EPA’s peer review did not meet all OMB requirements for such documents.” *Procedural Review of EPA’s Greenhouse Gases Endangerment Finding Data Quality Processes*, Report No. 11-P-0702, pg. 13 (September 26, 2011). The EPA Inspector General found, among others, that:

- As to OMB requirements for peer reviewers with “broad and diverse” views, the IG noted that “all were federal employees and all had leading roles in developing the assessment reports cited in the TSD.” IG Report pg. 67.
- An EPA employee was on the peer review panel, which is an explicit violation of the OMB requirements.
- “[P]ublic opportunity to comment on a document is not public participation in the peer review” (IG Report pg. 68) and the failure of EPA to provide public input into the peer review process violates OMB requirements.
- There was no peer review report, contrary to OMB requirements. IG Report pg. 69.
- The EPA process did not even meet the requirements of an influential scientific information due to the lack of a peer review record, peer review report, EPA response to peer reviewers, and approval of such a response. IG Report pg. 83.

Despite the IG’s documentation of these and other errors, EPA refused to correct them. It claimed the 2009 Endangerment Finding was not a scientific assessment on the dubious ground that it relied entirely upon the conclusions made by the IPCC and other outside sources. But even if such state-of-science reports rely on outside sources, they are still considered scientific assessments by OMB. This is because of the judgment that EPA must exercise in its use of them; it must decide which outside sources to rely upon, and how much weight to give to each of those sources.

It is time that EPA correct the Information Quality Act errors that the Inspector General identified.

EPA Should Stop Disseminating the Endangerment Finding Until a Valid Peer Review Process Is Completed

The Information Quality Act guidelines require an agency to follow the proper peer review process before a scientific assessment can be disseminated. No valid peer review process was done for the 2009 GHG Endangerment Finding. Until such a peer review process is validly completed, under the OMB guidelines, EPA should stop disseminating this scientific assessment.

Given the failure of that finding to be properly peer-reviewed, the only way for EPA to disseminate it is with the disclaimer “This information is distributed solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. It has not been formally disseminated by [the agency]. It does not represent and should not be construed to represent any agency determination or policy.” OMB Final Guidelines, Section I, Part 3, 70 FR 2674. This disclaimer obviously would not be appropriate to the current 2009 GHG Endangerment Finding, and, as such, dissemination should end.

EPA should then restart the process of peer reviewing the 2009 GHG Endangerment Finding. Lastly, EPA will have to reconsider the findings of the 2009 GHG in light of this new peer review process, taking into account objections and problems raised by the peer reviewers and the public.

By withdrawing the Endangerment Finding and then restarting the peer review process for it, EPA can ensure that there is confidence in the quality of the information being disseminated.

Sincerely,

Devin Watkins, Attorney
devin.watkins@cei.org
Sam Kazman, General Counsel
sam.kazman@cei.org
Competitive Enterprise Institute
1310 L Street NW, 7th Floor
Washington, DC 20005
(202) 331-1010

Attachment A

Attachment A: Relationship of Peer Reviewers to References Upon Which EPA Relied Most Heavily for its 2009 Endangerment Finding

Virginia Burkett	<p>Author of IPCC AR4 WGII</p> <p>Reviewer of NRC Potential Impacts of Climate Change on U.S. Transportation (2008)</p> <p>Author of USGCRP Global Climate Change Impacts in the United States (2009)</p> <p>Author of CCSP SAP 2.1: Scenarios of GHG Emissions and Atmospheric Concentrations (2007)</p> <p>Author of CCSP SAP 3.1: Climate Change Models (2008)</p> <p>Author of CCSP SAP 4.1: Coastal Sensitivity to Sea Level Rise (2009)</p> <p>Lead Author of SAP 4.7: Impacts of Climate Change and Variability on Transportation Systems (2008)</p>
William Emanuel	Reviewer of IPCC AR4 WGII
Anthony Janetos;	<p>Lead Author of IPCC AR4 WGII</p> <p>Author of NRC Potential Impacts of Climate Change on U.S. Transportation (2008)</p> <p>Author of USGCRP Global Climate Change Impacts in the United States (2009)</p> <p>Provided guidance and support for CCSP SAP 4.2: Thresholds of Change in Ecosystems (2009)</p> <p>Lead Author of CCSP SAP 4.3: Agriculture, Land Resources, Water Resources, and Biodiversity (2008)</p> <p>Reviewer for CCSP SAP 4.7: Impacts of Climate Change and Variability on Transportation Systems (2008)</p>
Thomas Karl;	<p>Reviewer of IPCC AR4 WGI</p> <p>Author of NRC Climate Change Science: An Analysis of some Key Questions (2001)</p> <p>Author of NRC Potential Impacts of Climate Change on U.S. Transportation (2008)</p> <p>Co-Chair and Editor-in-Chief of USGCRP Global Climate Change Impacts in the United States (2009)</p> <p>Author, Editor, and Executive Team of CCSP SAP 1.1: Temperature Trends in the Lower Atmosphere (2006)</p> <p>Co-Chair of CCSP SAP 3.3: Weather and Climate Extremes in a Changing Climate (2008)</p> <p>Reviewer for CCSP SAP 4.7: Impacts of Climate Change and Variability on Transportation Systems (2008)</p>
Gavin Schmidt	<p>Reviewer of IPCC AR4 WGI</p> <p>Reviewer of CCSP SAP 1.2: Past Climate Variability and Change in the Arctic and at High Latitudes (2009)</p> <p>Reviewer of CCSP SAP 3.4: Abrupt Climate Change (2008)</p>

Susan Solomon;	Co-Chair, IPCC WGI Reviewer of NRC Climate Change Science: An Analysis of some Key Questions (2001) Reviewer of USGCRP Global Climate Change Impacts in the United States (2009) Reviewer of CCSP SAP 2.3: Aerosol Properties and Climate Impacts (2009) Reviewer of CCSP SAP 2.4: Trends in Ozone-Depleting Substances (2008)
Thomas Wilbanks	Lead Author of AR4 WGII Author of USGCRP Global Climate Change Impacts in the United States (2009) Author of CCSP SAP 4.5: Effects on Energy Production and Use (2007) Lead Author of CCSP SAP 4.6: Analyses of the Effects of Global Change on Human Health (2008)
Phil DeCola	Executive Office/Liason for Global Climate Change Impacts in the United States (2009) NASA Representative for the CCSP SAP 2.1: Scenarios of GHG Emissions and Atmospheric Concentrations (2007) Author of CCSP SAP 2.3: Aerosol Properties and Climate Impacts (2009) Led the initial discussions that resulted in the inclusion of SAP 2.4: Trends in Ozone-Depleting Substances (2008)
Linda Joyce	Reviewer to CCSP SAP 4.2: Thresholds of Change in Ecosystems (2009)
Anne Grambsch, EPA Employee	Lead Author of CCSP SAP 4.6: Analyses of the Effects of Global Change on Human Health (2008)
Jerry Hatfield;	Principal Author EPA Impacts of Global Change on Regional U.S. Air Quality (2009) Author of USGCRP Global Climate Change Impacts in the United States (2009) Author of CCSP SAP 4.3: Agriculture, Land Resources, Water Resources, and Biodiversity (2008)
Michael McGeekin	Author of CCSP SAP 4.6: Analyses of the Effects of Global Change on Human Health (2008)

Message

From: Crimmins, Allison [Crimmins.Allison@epa.gov]
Sent: 3/24/2021 3:25:56 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]
CC: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: Re: RFC 19002 - GHG Endangerment Finding

Ok got it. Thanks.

-Allison

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, March 24, 2021 11:21 AM
To: Crimmins, Allison <Crimmins.Allison@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: RFC 19002 - GHG Endangerment Finding

Review only by Joe...not signature. For the last one (Dr. Tinker) we all agreed that it could go to OMB without Joe reviewing. But for this one, we agreed that Joe should see it before it goes to OMB.

...once OMB reviews, it'll come back for review and signature.

Thanks, Rona

From: Crimmins, Allison <Crimmins.Allison@epa.gov>
Sent: Wednesday, March 24, 2021 11:19 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: Re: RFC 19002 - GHG Endangerment Finding

Sorry- I thought this still needed to go to OMB first, then review by Joe. Right?

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, March 24, 2021 11:12 AM
To: Crimmins, Allison <Crimmins.Allison@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: FW: RFC 19002 - GHG Endangerment Finding

Hi Allison, I just got the OK from Chris to move forward with this. This is the most recent version with OGC (both Melina and Tracy) comments addressed (per this morning's emails). This draft is ready for Joe's review.

(again, just a reminder that Tomas has recused himself.)

Thanks, Rona

Message

From: Tallent, Robert [Tallent.Robert@epa.gov]
Sent: 4/5/2021 1:49:55 PM
To: Crimmins, Allison [Crimmins.Allison@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: CEI RFC response ready to be sent to OMB

Thank you Allison!

From: Crimmins, Allison <Crimmins.Allison@epa.gov>
Sent: Monday, April 5, 2021 9:34 AM
To: Tallent, Robert <Tallent.Robert@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: CEI RFC response ready to be sent to OMB

Bob,
Joe Goffman has finished his review of this RFC response letter to CEI and it is now ready to be sent to OMB for review.

-Allison

Allison Crimmins | Office of Air & Radiation Science Coordinator

Office of Air Policy & Program Support (OAPPS)

U.S. Environmental Protection Agency

WJC North 5442G | 202.343.9170 | crimmins.allison@epa.gov

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 8/7/2019 9:17:17 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: updated CEI/Murray 2 pager
Attachments: CEI_Murray_RFC_twopager.docx

I added the following:

Ex. 5 Deliberative Process (DP)

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, August 07, 2019 4:10 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: updated CEI RFC draft, including Murray placeholder

Marcus, I made a few additional changes/additions

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks, Rona

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Wednesday, August 07, 2019 10:47 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: updated CEI RFC draft, including Murray placeholder

Another updated draft, with response to action development plan criticisms from Murray.

-Marcus

From: Sarofim, Marcus
Sent: Tuesday, August 06, 2019 6:16 PM
To: Birnbaum, Rona (Birnbaum.Rona@epa.gov) <Birnbaum.Rona@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: updated CEI RFC draft, including Murray placeholder

See attached for some edits & updates, and a Murray placeholder,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 8/13/2019 1:40:48 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: initial draft CEI/Murray RFC response
Attachments: CEI_only_RFC_8_12_19.rb.clean.docx; CEI_Murray_RFC_twopager.8.13.19.docx

Here are the two documents, with all edits incorporated and accepted.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, August 12, 2019 8:01 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: initial draft CEI/Murray RFC response

A few small additional things and this is also ready for Paul in the morning once it's cleaned up.
(still not sure why I couldn't attach that 2-pager if I could attach this 😊)
Thanks, Rona

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Monday, August 12, 2019 11:55 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: initial draft CEI/Murray RFC response

Here are the current versions (

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, August 12, 2019 11:44 AM
To: Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: RE: initial draft CEI/Murray RFC response

I told Paul we'd give him an initial draft to look through before we talk to Chris on Wednesday morning. So, in addition to the revised 2-pager overview for Chris, can I get a new clean version to give him?

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Also, to the extent that we can address anything remaining that David may have flagged to think about, that'll be great as well.
Thanks!

From: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Sent: Friday, August 09, 2019 4:07 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: RE: initial draft CEI/Murray RFC response

Some additional edits on top of David's. Rona, I think we strike the right balance regarding the issue we discussed earlier today, but offer a couple of edits to help walk that line.

Jeremy

From: Orlin, David <Orlin.David@epa.gov>
Sent: Friday, August 09, 2019 8:21 AM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Williams, Melina <Williams.Melina@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: initial draft CEI/Murray RFC response

Hi Rona,

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

David Orlin
U.S. EPA, Office of General Counsel
(202) 564-1222

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, August 07, 2019 4:59 PM
To: Orlin, David <Orlin.David@epa.gov>
Cc: Williams, Melina <Williams.Melina@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: initial draft CEI/Murray RFC response

David, we're hoping that you may be interested in giving the draft response a look before we share it with our management next week. Have we missed anything? Did we take the right tone? Etc.
Attached is a clean version (recommend using that one) and a version in track-changes which is quite messy but it does show you where Melina flagged issues in her quick review before heading out.

Thanks!! Rona

Message

From: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Sent: 8/13/2019 6:42:59 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
CC: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: 2-pager draft for tomorrow w/Chris
Attachments: CEI_Murray_RFC_twopager.8.13.19.docx

Here's an updated 2-pager, with less bullet-indents and moving the CEI ask to the first paragraph,

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Tuesday, August 13, 2019 12:55 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: 2-pager draft for tomorrow w/Chris

Paul attached are the 1) 2-pager to use in tomorrow's overview with Chris and 2) our first cut at the response to CEI's RFC.

This version also reflects some initial comments from OGC - - Melina and David O both gave it a super quick look before their respective vacations. They are expecting to return to it and review/comment further.

For tomorrow, please let us know if there is anything we need to change so that we can make the 4:00 deadline for giving Chris materials ahead of time. I just remembered that deadline so my apologies for getting the 2-pager to you late.

In addition to the 2-pager, we'll plan to also give him a copy of the CEI RFC as well a copy of the State AGs letter.
Thanks, Rona

Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 8/12/2019 4:56:51 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding
Attachments: RFC 19002 - 3rd Party -States Opposition to RFC.pdf

You have every right to be confused! I was too as I started sorting through this.
I have found this submittal and have replaced it on our OneDrive, indeed referencing the Endangerment Finding.
Here it is, attached.
Looks like we do get some supporters in opposition to CEI's request.
Kevin

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, August 12, 2019 12:52 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: RE: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Kevin, this is confusing, as below certainly appears to reference the Endangerment Finding but the letter that was in the OneDrive was not Endangerment...
Are there two different letters from State AGs?

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV> **On Behalf Of** Quality
Sent: Friday, August 09, 2019 4:06 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Hi Rona,
The good news is that it can't ALL be bad....
Here's a recent submittal by a consortium of State Attorneys General offering a counter to the CEI RFC. Seems that this group is opposed to CEI's RFC...
My head hurts,
Hope that yours is doing better!
Kevin

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV> **On Behalf Of** Quality
Sent: Friday, August 9, 2019 3:59 PM
To: Herzog, Megan (AGO) <megan.herzog@state.ma.us>
Cc: Quality <Quality@epa.gov>
Subject: RE: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Dear Ms Herzog,

Thank you for your recent submission of information related to EPA's Greenhouse Gas Endangerment Finding. In recognition that your submittal counters the analysis and request for correction presented by the Competitive Enterprise Institute in its May 13, 2019 submission to EPA, we will be administering your submittal as supplementary information to this previously submitted request. For tracking purposes we have assigned the unique identifier of RFC #19002 to this case. Please reference this ID number for all future communications in connection with this case. Our target date for response is Sept. 18, 2019 which corresponds to 90 days from the date EPA received the Request for Correction (RFC #19002) from CEI.

Thank you for your support and attention to EPA's information quality!

EPA Quality Staff

From: Herzog, Megan (AGO) <megan.herzog@state.ma.us>
Sent: Wednesday, August 7, 2019 4:43 PM
To: Quality <Quality@epa.gov>
Cc: Courchesne, Christophe (AGO) <christophe.courchesne@state.ma.us>
Subject: States' Letter in Opposition to RFC 19002, Concerning EPA's GHG Endangerment Finding

Dear Sir or Madam:

Attached please find an electronic copy of correspondence from the Attorneys General of Massachusetts, California, Connecticut, Delaware, Illinois, Maryland, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and the District of Columbia, and the California Air Resources Board regarding the Competitive Enterprise Institute's May 13, 2019 request for correction under the Information Quality Act (RFC 19002).

A hard copy will follow by U.S. mail.

Please do not hesitate to reach out to me with any questions or concerns regarding this matter. Thank you for your attention.

Sincerely,

Megan M. Herzog
Special Assistant Attorney General
Environmental Protection Division
Massachusetts Office of the Attorney General
One Ashburton Place
Boston, MA 02108
(617) 963.2674
Megan.Herzog@mass.gov

**Request for Correction (RFC #19002)
Green House Gas (GHG) Endangerment Finding
Scoping Meeting Agenda
Thursday, July 11, 2019 4:00PM – 5:00PM**

Call-In Number: Ex. 6 Personal Privacy (PP)
Conference code: Ex. 6 Personal Privacy (PP)

AGENDA

1. Information Quality Guidelines (IQG) Request for Correction (RFC) Process – Kirby
2. Overview of the IQG Petition – This RFC challenges the 2009 GHG Endangerment Finding and Technical Support Document
 - a. Information Owner Summary on challenged information in RFC
 - b. OGC update on legal concerns – Tracy
 - c. Information Quality Guidelines issues – Kevin
3. Discussion – Proposed options for response
4. Next Steps – Kevin
 - a. EQMD provide draft response letter template
 - b. Information Owners develop draft response
 - c. Scoping Team provides input, concurrence on draft response
 - d. CIO signs off on response to send to OMB/Send to OMB
 - e. Draft response cleared by OMB for release to requester
 - f. Response (90 days) target due date – Aug. 19, 2019

Interested parties to this IQG response:

OEI Quality Staff:

- OMS - Kevin Kirby, IQG Case Manager: [[HYPERLINK "mailto:kirby.kevin@epa.gov"](mailto:kirby.kevin@epa.gov)];
- OAR - Leif Hockstad

Subject Matter Experts:

- OAR – Rona Birnbaum
- OAR- Jeremy Martinich
- OAR – Marcus Sarafim
- OGC - Tracy Sheppard

LINK to IQG Folder for RFC #19003:

[[HYPERLINK](#) Ex. 6 Personal Privacy (PP)]

Ex. 6 Personal Privacy (PP)

DELIBERATIVE DRAFT – FOR INTERNAL USE
DO NOT DISTRIBUTE OR DISSEMINATE

Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 9/12/2019 12:39:59 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: RE: two questions

Sounds fine.

The date the RFC was received from CEI: May 13, 2019

The 18th works fine as a target date to send this draft response to OMB.

Thanks, Rona!

KjK

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Wednesday, September 11, 2019 3:39 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: two questions

Kevin, I just left you a voicemail with two quick questions. First, can I please get the date the agency received the CEI RFC? Second, would Wednesday next week (9/18) work OK to suggest to our AA that we send a draft to you for OMB review?

Thanks, Rona

From: Birnbaum, Rona
Sent: Wednesday, September 11, 2019 3:09 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Jeremy Martinich (martinich.jeremy@epa.gov) <martinich.jeremy@epa.gov>
Subject: FW: CEI Response Draft

Kevin, thanks for your comments. We think that placing most of that text in the footnote is best (see attached) as that added paragraph seemed somewhat out of place. As discussed, I added the Summary of EPA's Response to follow the Summary of CEI's Request. I may get more comments from my management this afternoon but will hopefully have a solid version tomorrow that will be sent up our management chain. I'll share that version with the team as well so everyone has the same version being reviewed by our acting AA.

Thanks, Rona

From: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Sent: Wednesday, September 11, 2019 2:51 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: CEI Response Draft

Hi Rona,

Redline and clean versions attached.

Jeremy

Jeremy Martinich
USEPA - Climate Change Division
202-343-9871

To: Birnbaum, Rona[Birnbaum.Rona@epa.gov]; Sarofim, Marcus[Sarofim.Marcus@epa.gov]; Martinich, Jeremy[Martinich.Jeremy@epa.gov]
From: Williams, Melina[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=39312EA7660743F8B7E313B2633EC98A-WILLIAMS, MELINA]
Sent: Fri 5/7/2021 3:21:09 PM (UTC)
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Sounds good, thanks Rona.

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, May 7, 2021 11:20 AM
To: Williams, Melina <Williams.Melina@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Yes, lets have a conversation with Tracy and Bob...and then perhaps even with OMB so we can better understand, and incorporate as appropriate, their comments.
I'll reach out to Bob to set it up to discuss. It may still be worthwhile for you to reach out ahead to Tracy.
Thanks, Rona

From: Williams, Melina <Williams.Melina@epa.gov>
Sent: Friday, May 07, 2021 11:11 AM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Ex. 5 Attorney Client (AC)

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Thursday, May 6, 2021 2:34 PM
To: Williams, Melina <Williams.Melina@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Ex. 5 Deliberative Process (DP)

-Marcus

From: Williams, Melina <Williams.Melina@epa.gov>

Sent: Thursday, May 06, 2021 2:31 PM

To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>

Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Ex. 5 Attorney Client (AC)

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>

Sent: Thursday, May 6, 2021 2:21 PM

To: Williams, Melina <Williams.Melina@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>

Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Ex. 5 Deliberative Process (DP)

Note that we plan to keep in our point by point rebuttals anyway.

-Marcus

From: Williams, Melina <Williams.Melina@epa.gov>

Sent: Thursday, May 06, 2021 10:19 AM

To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>

Subject: FW: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Hi all,

Ex. 5 Attorney Client (AC)

Happy to talk further as needed.

Thanks,
Melina

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Tallent, Robert <Tallent.Robert@epa.gov>

Sent: Monday, May 3, 2021 9:52 AM

To: Williams, Melina <Williams.Melina@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Crimmins, Allison

ED_005943_00000559-00002

<Crimmins.Allison@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>;
Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Hi Melina,

Ex. 5 Deliberative Process (DP)

Thanks

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



From: Williams, Melina <Williams.Melina@epa.gov>
Sent: Monday, May 3, 2021 9:22 AM
To: Tallent, Robert <Tallent.Robert@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Thanks, Bob.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Melina Williams | US EPA | Office of General Counsel | Air & Radiation Law Office | Mail Code 2344A | phone: (202) 564-3406 | fax: (202) 564-5603

The contents of this e-mail and any attachments to it may contain deliberative-process, attorney-client, attorney work product, or otherwise privileged material. Do not distribute outside of EPA or DOJ.

From: Tallent, Robert <Tallent.Robert@epa.gov>

ED_005943_00000559-00003

Sent: Monday, May 3, 2021 9:13 AM

To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>

Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Subject: FW: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

RFC 19002 Scoping Team,

OMB has reviewed our response to RFC 19002. Please see the below email and attached document for the comments. If you have questions and would like to speak directly with OMB let me know and I will arrange the call. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP) I need to forward to OMB again for their final review.

Thanks for all you do for Quality!

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



From: Kluever, April N. EOP/OMB <April.N.Kluever@omb.eop.gov>

Sent: Friday, April 30, 2021 3:40 PM

To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Cc: Tallent, Robert <Tallent.Robert@epa.gov>; Leggett, Carmine S. EOP/OMB <**Ex. 6 Personal Privacy (PP)**>; Schwab, Margo EOP/OMB <**Ex. 6 Personal Privacy (PP)**>

Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Hi Katherine,

Please find our comments attached. The biggest consideration we have for EPA is **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I'm happy to get on the phone with the program office if that would be helpful; if so, please help arrange the call.

Otherwise, please send back a revised version when it is ready for a final review by OMB.

Thank you!

April

April Neal Kluever, Ph.D., D.A.B.T.
Senior Toxicologist
Statistical and Science Policy Branch (SSP)
Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)
Executive Office of the President (EOP)

Ex. 6 Personal Privacy (PP)

Email: Ex. 6 Personal Privacy (PP)

The content and information contained in this message is deliberative.

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Sent: Thursday, April 15, 2021 3:44 PM

To: Kluever, April N. EOP/OMB Ex. 6 Personal Privacy (PP)

Cc: Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Hello Dr. Kluever - - Unfortunately this is one of our very old RFCs that was stuck in the Office of Air and Radiation. Please see the information below:

- We received RFC 19002 on 5/13/2019
- As of today it is 703 days
- The 120 day date was 9/10/2019

Please let us know if you have any questions.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Ex. 6 Personal Privacy (PP)



From: Kluever, April N. EOP/OMB **Ex. 6 Personal Privacy (PP)**
Sent: Thursday, April 15, 2021 11:41 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Hi Katherine,

I forgot to ask – when is the 120 calendar day deadline on this?

Thank you,

April

April Neal Kluever, Ph.D., D.A.B.T.
Senior Toxicologist
Statistical and Science Policy Branch (SSP)
Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)
Executive Office of the President (EOP)

Ex. 6 Personal Privacy (PP)

Email **Ex. 6 Personal Privacy (PP)**

The content and information contained in this message is deliberative.

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Tuesday, April 6, 2021 3:16 PM
To: Kluever, April N. EOP/OMB **Ex. 6 Personal Privacy (PP)**
Cc: Schwab, Margo EOP/OMB <**Ex. 6 Personal Privacy (PP)**>; Leggett, Carmine S. EOP/OMB
<**Ex. 6 Personal Privacy (PP)**>; Dorjets, Vlad EOP/OMB <**Ex. 6 Personal Privacy (PP)**>; Noga, Vaughn
<Noga.Vaughn@EPA.GOV>; Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert
<Tallent.Robert@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment
Importance: High

Hi Dr. Kluever - -

Attached is the draft response to The Competitive Enterprise Institute (CEI). CEI is the requestor for RFC 19002 – Greenhouse Endangerment Finding. Please review and comment as necessary. RFC 19002 is also attached for your convenience.

ED_005943_00000559-00006

In the RFC letter, CEI contends that the 2009 GHG Endangerment Finding and supporting Technical Support Document (TSD) do not meet the requirements of the Information Quality Act. CEI requests that the deficiencies be corrected and EPA cease distributing its Endangerment Finding and TSD until they have gone through the proper peer review process.

Regards,

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



Appointment

From: Tallent, Robert [Tallent.Robert@epa.gov]
Sent: 5/10/2021 4:55:45 PM
To: Sheppard, Tracy [Sheppard.Tracy@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Crimmins, Allison [Crimmins.Allison@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RFC 19002 Scoping Team
Location: Microsoft Teams Meeting
Start: 5/11/2021 7:30:00 PM
End: 5/11/2021 8:00:00 PM
Show Time As: Tentative

Required Attendees: Sheppard, Tracy; Birnbaum, Rona; Crimmins, Allison; Sarofim, Marcus; Hockstad, Leif; Martinich, Jeremy; Williams, Melina
Optional Attendees: Chalfant, Katherine

All,

We will review OMB comments and answer questions so that we can get our response finalized.

Thanks

Bob

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

Ex. 6 Personal Privacy (PP)

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

[Learn More](#) | [Meeting options](#)

Message

From: Shoaff, John [Shoaff.John@epa.gov]
Sent: 11/5/2019 3:46:22 PM
To: Campbell, Ann [Campbell.Ann@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: CEI_RFC_9_11_19_clean.docx

Ann,

Per quick mention in the hall the other day, here's some background on 1 of 2 draft letters for Anne's review re: Information Quality Guidelines (IQG) Request for Correction (RFC). Note that both are on related topics, endangerment finding, so might be useful to bundle. OMS is awaiting our response, believe they then hand off for OMB review and once they're satisfied, it comes back for EPA signature. Will send 2nd similar letter in a sec. and happy to discuss further as you like. Thanks and have a cheese steak for me.

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | **Ex. 6 Personal Privacy (PP)**

From: Crimmins, Allison <Crimmins.Allison@epa.gov>
Sent: Monday, November 4, 2019 11:41 AM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

John, this is the first (of 2) responses to RFCs. Looks like Chris G sent the CEI response in September to Anne Idsal and Clint was in the loop, but this pre-dates Anne Campbell.
-Allison

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Thursday, September 19, 2019 4:33 PM
To: Woods, Clint <woods.clint@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

Clint

Per your request below is what Chris sent to Anne

Let me know if you have any questions

Thanks

Paul

Sent from my iPhone

Begin forwarded message:

From: "Grundler, Christopher" <grundler.christopher@epa.gov>
Date: September 11, 2019 at 8:32:03 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>
Cc: "Harlow, David" <harlow.david@epa.gov>, "Gunning, Paul" <Gunning.Paul@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>, "Shaw, Betsy" <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Shoaff, John [Shoaff.John@epa.gov]
Sent: 11/5/2019 3:54:19 PM
To: Campbell, Ann [Campbell.Ann@epa.gov]
Subject: FW: Murray Energy Request for Correction
Attachments: 7-30-19 Murray Energy IQA RFC.PDF; Murray_RFC_10_15_19.clean.docx

Ann,

Here's 2 of 2. Thanks.

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | **Ex. 6 Personal Privacy (PP)**

From: Crimmins, Allison <Crimmins.Allison@epa.gov>
Sent: Monday, November 4, 2019 11:38 AM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: FW: Murray Energy Request for Correction

John, attached is the second (of 2) RFCs. Looks like Chris G sent them to Anne Idsal, not Anne Campbell.
-Allison

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, November 01, 2019 9:44 AM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Harlow, David <harlow.david@epa.gov>
Subject: Murray Energy Request for Correction

Anne,

As I mentioned in our one on one last Friday, we have been working with OGC and OMS on a response to the Murray Energy request for correction (RFC) on the agency's 2009 endangerment finding and technical support document for GHGs. Attached you will find OAP's recommended response along with the original Murray Energy RFC. Please note that this RFC largely reiterates many of the issues introduced by CEI in their RFC that was submitted back in May. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Wells, Jeffrey [Wells.jeffrey@epa.gov]
Sent: 4/6/2021 7:04:02 PM
To: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
CC: Grimm, Patrick [Grimm.Patrick@epa.gov]; Tallent, Robert [Tallent.Robert@epa.gov]
Subject: RE: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment

Looks good Katherine, thank you!

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Tuesday, April 6, 2021 1:01 PM
To: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Cc: Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: Draft Response RFC 19002 - GHG Endangerment Finding to OMB for Review/Comment
Importance: High

Hi Jeff - - We've received the DRAFT response from OAR on RFC 19002- Greenhouse Gas Endangerment Finding as we discussed at this morning's EQMD Weekly **Ex. 5 Deliberative Process (DP)** We now need to send this DRAFT to OMB for review prior to send it to the requestor. Below is the email I would like to send to Dr. Kluever, OMB forwarding the draft for her review and comment. This draft has been reviewed by Tracy Sheppard (OGC) and OAR management.

Please let me know if you're ok with me sending this to OMB.

Thank you!

Katherine

++++
++++

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

← CHIL Mission →

From: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Sent: 5/19/2021 2:48:00 PM
To: Wells, Jeffrey [Wells.jeffrey@epa.gov]; Grimm, Patrick [Grimm.Patrick@epa.gov]
CC: Tallent, Robert [Tallent.Robert@epa.gov]; Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: OMB IQG Meeting - May 24th

Hi Jeff & Patrick - - We wanted to give you some information about the discussion topics for our meeting with OMB on Monday, May 24th. These are two items that would clarify and simplify our RFC/RFR process.

Discussion topics:

1. RFC 19002 – OMB comments on the draft response: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

We need to clarify this point. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

2. RFR 21001A – We would like to discuss when an IQG challenge **Ex. 5 Deliberative Process (DP)** This RFC/RFR is an example of such an IQG challenge. RFR 21001A has taken a great deal of EPA resources to process from RFC through RFR. The argument made in the RFC/RFR had not been peer reviewed and the subject matter itself was deemed trivial by our scientists. This is the issue that Jennifer raised during the Exec Panel for the Greenhouse Effect with Vaughn.

Meeting Invitees

OEIP – Jeff Wells, Patrick Grimm, Katherine Chalfant, Bob Tallent

OCG – Tracy Sheppard, Melina Williams

OAR – Rona Birnbaum, Marcus Sarofim, Corinne Hartin, Allison Crimmins

OMB – April Kluever, Margo Schwab, Carmine Leggett

Let us know if you have questions. Thank you!

Katherine

Message

From: Wells, Jeffrey [Wells.jeffrey@epa.gov]
Sent: 1/29/2021 3:43:46 PM
To: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
CC: Grimm, Patrick [Grimm.Patrick@epa.gov]; Tallent, Robert [Tallent.Robert@epa.gov]
Subject: RE: IQGs - Request Your Assistance

Please, yes. Thank you!!!

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Friday, January 29, 2021 9:35 AM
To: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Cc: Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>
Subject: RE: IQGs - Request Your Assistance

Jeff - - I will highlight the challenges and include CarolAnn in the OCSPP email. May I send this forward?

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Sent: Friday, January 29, 2021 8:59 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>
Subject: RE: IQGs - Request Your Assistance

Katherine,

These look great. Let's highlight on the table the ones we want him to send the email about. Let's also cc CarolAnn Siciliano in OCSPP. She's been helpful before in "loosening" things up there on the ICR front. Thanks!
Jeff

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Thursday, January 28, 2021 11:26 AM
To: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Cc: Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: IQGs - Request Your Assistance

Hi Jeff - - We would like to send the following email to the IO as a follow-up to see if Vaughn has received a response from OCSPP and OAR on the status of their IQG challenges.

Please let us know if you agree and I may send forward.

Thank you!

Katherine

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 2/26/2020 7:16:19 PM
To: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: RFC 19002 & 18003

Thanks for the cc:
I'll keep fingers crossed that this may somehow shift the hold up...
KjK

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Wednesday, February 26, 2020 2:13 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: FW: RFC 19002 & 18003

fyi

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Gonder, Sharon <Gonder.Sharon@epa.gov>
Sent: Wednesday, February 26, 2020 2:12 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RFC 19002 & 18003

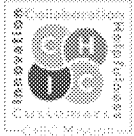
Hi John,

During my weekly meetings with Vaughn I update him on the status of our IQGs. My staff has informed me that the RFC 19002, Greenhouse Gas Endangerment Finding and RFC 18003, Ethylene Oxide have not moved out of the OAR.

As you may be aware, recent OMB requirements require us to respond to information owners in 120 days and both these RFCs are overdue. I'd appreciate if you would update me on the status of these responses.

Thank you,

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs
Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov



Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 2/26/2020 5:17:40 PM
To: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: Follow-up on RFC 19002 and 18005

You bet.
Try this...

To: John Shoaff, Director, Office of Air Policy and Program Support
RE: [RFC 19002](#) concerning Greenhouse Gas Endangerment Finding, and
[RFC 18003](#) concerning Ethylene Oxide

John,
I am preparing for a meeting with the CIO to go over our IQG portfolio of open cases.
As you may be aware, recent OMB requirements on improving implementation of the Information Quality Act, put forth in M-19-15 set an expectation that RFCs be processed within 120 days. Both of these RFCs where OAR is identified as Information Owners are overdue. Could you please share the latest status on where this response is in the Office of Air and Radiation?
Thank you,
Sharon G

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Wednesday, February 26, 2020 11:33 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: Follow-up on RFC 19002 and 18005

Kevin - - I am swamped, please prepare an email for Sharon to send to John Shoaff asking for the status of the above RFCs. Please send to me and I will forward. Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



Message

From: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Sent: 10/4/2019 7:55:56 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: RFC 19002 Endangerment Finding: CEI input this week...

Kevin - - Thank you and I need to put this in the que. Right now I'm consumed with OIG work. Hopefully early next week.

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 G)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
chalfant.katherine@epa.gov

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Friday, October 04, 2019 2:00 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: RFC 19002 Endangerment Finding: CEI input this week...

Ex. 5 Deliberative Process (DP)

I wanted to circle back with you about CEI's request for response. This is the one dealing with the Green House Gas Endangerment Finding.

I know that you've spoken with Devin Watkins of CEI earlier this week. Just so that you're aware, I received a call and I know that Margo Schwab at OMB also received a call from Mr. Watkins. All asking for a status on EPA's response....

This draft **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

KJK

From: Kirby, Kevin
Sent: Friday, October 4, 2019 1:33 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: RFC 19002 Endangerment Finding: CEI input this week...

On another related point, I received a call from CEI asking about our response. My Director got a call earlier this week as did OMB.

Ex. 5 Deliberative Process (DP)

Thanks for all you're doing!

KJK

From: Kirby, Kevin
Sent: Friday, October 4, 2019 1:12 PM

To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>

Subject: FW: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

Hi Rona,

Thanks for catching the omission of the document on our website!

Give me a day or two to let content cycle up to the website. I'll send you a link once it's visible...

Have a great weekend!

KjK

From: Nazario, Aldo <Nazario.Aldo@epa.gov>

Sent: Friday, October 4, 2019 11:42 AM

To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Subject: RE: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

This is done

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Sent: Friday, October 4, 2019 11:21 AM

To: Nazario, Aldo <Nazario.Aldo@epa.gov>

Subject: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

Hey Aldo,

Here's a Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thx!

KjK

Message

From: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Sent: 10/7/2019 12:02:00 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: RFC 19002 Endangerment Finding: CEI input this week...

Hi Kevin - - Please give me the pecking order of Roan and Betsy before I call them. Also, who wrote the letter to Mr. Watkins? I'll wait to hear back from you.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 G)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
chalfant.katherine@epa.gov

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Friday, October 04, 2019 2:00 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: RFC 19002 Endangerment Finding: CEI input this week...

Ex. 5 Deliberative Process (DP)

I wanted to circle back with you about CEI's request for response. This is the one dealing with the Green House Gas Endangerment Finding.

I know that you've spoken with Devin Watkins of CEI earlier this week. Just so that you're aware, I received a call and I know that Margo Schwab at OMB also received a call from Mr. Watkins. All asking for a status on EPA's response....

This draft **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

KjK

From: Kirby, Kevin
Sent: Friday, October 4, 2019 1:33 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: RFC 19002 Endangerment Finding: CEI input this week...

On another related point, I received a call from CEI asking about our response. My Director got a call earlier this week as did OMB.

Ex. 5 Deliberative Process (DP)

Thanks for all you're doing!

KjK

From: Kirby, Kevin
Sent: Friday, October 4, 2019 1:12 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: FW: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

Hi Rona,
Thanks for catching the omission of the document on our website!
Give me a day or two to let content cycle up to the website. I'll send you a link once it's visible...
Have a great weekend!
KjK

From: Nazario, Aldo <Nazario.Aldo@epa.gov>
Sent: Friday, October 4, 2019 11:42 AM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: RE: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

This is done

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Friday, October 4, 2019 11:21 AM
To: Nazario, Aldo <Nazario.Aldo@epa.gov>
Subject: RFC 19002 Endangerment Finding: 3rd Part Correspondence, Murray Energy

Hey Aldo,
Here's a

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thx!
KjK

Message

From: Wells, Jeffrey [Wells.jeffrey@epa.gov]
Sent: 11/19/2019 3:00:04 PM
To: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
CC: Gonder, Sharon [Gonder.Sharon@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: CEI_RFC_9_11_19_clean.docx; ATT00001.htm

Ex. 5 Deliberative Process (DP)

From: Zeckman, David <zeckman.david@epa.gov>
Sent: Tuesday, November 19, 2019 9:24 AM
To: Grimm, Patrick <Grimm.Patrick@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Pat,

OP passed this request-for-correction to me and asked me to follow-up.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Can you check on this and provide a status update? The prior emails contain some history, which you can read below. Given that it goes back to September, I've cc'd Jeff, as he may have some awareness of this request.

Thanks and let me know if I can help in anyway.

Regards,

David Zeckman
Associate Deputy Assistant Administrator
Office of Mission Support
Environmental Protection Agency
(202) 564-7623

Begin forwarded message:

From: "Woods, Clint" <woods.clint@epa.gov>
Date: September 19, 2019 at 4:18:15 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)
Ex. 6 Personal Privacy (PP) (mobile)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Sent: 11/19/2019 8:51:09 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Hi Kevin - - Thanks for sending this note forward. Again, let's try and remember to use the BLUF: concept upfront with Sharon and Jeff. They see a lot of information and we need to get them a few summary points.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP) - Cell
chalfant.katherine@epa.gov

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Tuesday, November 19, 2019 3:26 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Wells, Jeffrey <Wells.jeffrey@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

This is a draft **Ex. 5 Deliberative Process (DP)** EQMD is managing through the IQG process.

Ex. 5 Deliberative Process (DP)

Kevin

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Tuesday, November 19, 2019 10:20 AM

To: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Hi Jeff - - This certainly belongs to us. I'm forwarding this and including Kevin on this email so he can look into it.

Kevin - - Please take action and provide an update prior to the end of the week.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP) - Cell
chalfant.katherine@epa.gov

From: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Sent: Tuesday, November 19, 2019 10:00 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Ex. 5 Deliberative Process (DP)

From: Zeckman, David <zeckman.david@epa.gov>
Sent: Tuesday, November 19, 2019 9:24 AM
To: Grimm, Patrick <Grimm.Patrick@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Pat,

OP passed this request-for-correction to me and asked me to follow-up.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks and let me know if I can help in anyway.

Regards,

David Zeckman
Associate Deputy Assistant Administrator
Office of Mission Support
Environmental Protection Agency
(202) 564-7623

Begin forwarded message:

From: "Woods, Clint" <woods.clint@epa.gov>
Date: September 19, 2019 at 4:18:15 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)
Ex. 6 Personal Privacy (PP) - Cell (mobile)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Gonder, Sharon [Gonder.Sharon@epa.gov]
Sent: 2/5/2020 6:28:54 PM
To: Noga, Vaughn [Noga.Vaughn@EPA.GOV]
CC: Wells, Jeffrey [Wells.jeffrey@epa.gov]; Chalfant, Katherine [Chalfant.Katherine@epa.gov]; Henderson, Austin [Henderson.Austin@epa.gov]; Alvarado, David [alvarado.david@epa.gov]; Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: RE: IQA Briefing to Deputy Administrator- Follow Up Information that you Requested

The two opened RFCs are as follows:

- RFC 19002 - Greenhouse Gas Endangerment Finding
 - Submitted by the Competitive Enterprise Institute (CEI)
 - **Ex. 5 Deliberative Process (DP)**
- RFC 18003 - National Air Toxics Assessment (NATA)/Ethylene Oxide
 - Submitted by the American Chemistry Council (ACC)
 - **Ex. 5 Deliberative Process (DP)**

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs
Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov

From: Gonder, Sharon
Sent: Wednesday, February 05, 2020 1:27 PM
To: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: RE: IQA Briefing to Deputy Administrator- Follow Up Information that you Requested

Yep. Will get those summary details too. Forthcoming☺

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs
Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov

From: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Sent: Wednesday, February 05, 2020 1:26 PM
To: Gonder, Sharon <Gonder.Sharon@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: RE: IQA Briefing to Deputy Administrator- Follow Up Information that you Requested

Are there any RFC's

From: Gonder, Sharon <Gonder.Sharon@epa.gov>
Sent: Wednesday, February 05, 2020 1:25 PM

To: Noga, Vaughn <Noga.Vaughn@EPA.GOV>

Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Subject: IQA Briefing to Deputy Administrator- Follow Up Information that you Requested

Hi Vaughn- as part of this email; we've provided the status information you requested on RFRs. Let us know if you need additional details.

The three opened RFRs are as follows:

1. RFR 18001A - Integrated Risk Information System (IRIS)/Anthraquinone
 - Delays in reviews due to changes in Executive Panel members and ensuring panel members are not information owners
 - Submitted by the Chemical Products Corporation (CPC)
2. RFR 17002A - IRIS/Chloroprene
 - Awaiting conclusion of peer review assessment of physiological-based pharmacokinetic (PBPK) model
 - Submitted by the Denka Performance Elastomer Corporation
3. RFR 16002R – TSCA Workplan/Ethylene Dichloroethane (EDC)
 - Submitted by the ACC
 - Scoping team is currently finishing preparing the briefing package for the Executive Panel

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs
Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov

Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 2/26/2020 7:13:21 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: FW: RFC 19002 & 18003

fyi

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Gonder, Sharon <Gonder.Sharon@epa.gov>
Sent: Wednesday, February 26, 2020 2:12 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RFC 19002 & 18003

Hi John,

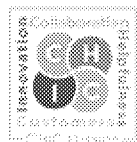
During my weekly meetings with Vaughn I update him on the status of our IQGs. My staff has informed me that the RFC 19002, Greenhouse Gas Endangerment Finding and RFC 18003, Ethylene Oxide have not moved out of the OAR.

As you may be aware, recent OMB requirements require us to respond to information owners in 120 days and both these RFCs are overdue. I'd appreciate if you would update me on the status of these responses.

Thank you,

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs

Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov



Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 2/26/2020 7:13:01 PM
To: Gonder, Sharon [Gonder.Sharon@epa.gov]
Subject: RE: RFC 19002 & 18003

Thank you! You are the best!!!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Gonder, Sharon <Gonder.Sharon@epa.gov>
Sent: Wednesday, February 26, 2020 2:12 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RFC 19002 & 18003

Hi John,

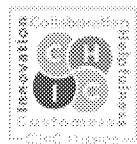
During my weekly meetings with Vaughn I update him on the status of our IQGs. My staff has informed me that the RFC 19002, Greenhouse Gas Endangerment Finding and RFC 18003, Ethylene Oxide have not moved out of the OAR.

As you may be aware, recent OMB requirements require us to respond to information owners in 120 days and both these RFCs are overdue. I'd appreciate if you would update me on the status of these responses.

Thank you,

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs

Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov



Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 2/27/2020 9:06:13 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: FW: RFC 19002 & 18003

Kevin - - FYI, a response, but no movement...hmmm.

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Shoaff, John <Shoaff.John@epa.gov>
Sent: Thursday, February 27, 2020 11:36 AM
To: Gonder, Sharon <Gonder.Sharon@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC 19002 & 18003

Sharon,

I discussed these with Kevin a couple weeks back and have no new news to report unfortunately, but will keep you posted as to when we learn more and feel free to call me as you like. Thanks.

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA

From: Gonder, Sharon <Gonder.Sharon@epa.gov>
Sent: Wednesday, February 26, 2020 2:12 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RFC 19002 & 18003

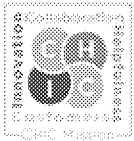
Hi John,

During my weekly meetings with Vaughn I update him on the status of our IQGs. My staff has informed me that the RFC 19002, Greenhouse Gas Endangerment Finding and RFC 18003, Ethylene Oxide have not moved out of the OAR.

As you may be aware, recent OMB requirements require us to respond to information owners in 120 days and both these RFCs are overdue. I'd appreciate if you would update me on the status of these responses.

Thank you,

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs
Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov



Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 2/27/2020 9:32:15 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: RE: RFC 19002 & 18003

I will make sure this is a standing item on my weekly with Jeff and Sharon and let her know we will need to get Vaughn involved in two weeks....but let's be hopeful!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Thursday, February 27, 2020 4:30 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC 19002 & 18003

Good plan.

Ex. 5 Deliberative Process (DP) e...

KjK

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Thursday, February 27, 2020 4:26 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC 19002 & 18003

Kevin - - Thanks, I think

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Agree with this plan?

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Thursday, February 27, 2020 4:23 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC 19002 & 18003

I can validate a discussion I had with both Rona and John 2 weeks ago, and attest to their communicated lack of movement on these RFCs.
The Greenhouse Gas RFC (19002) is particularly sensitive, given the administration's stance on anything concerning climate change...
KjK

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Thursday, February 27, 2020 4:06 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Subject: FW: RFC 19002 & 18003

Kevin - - FYI, a response, but no movement...hmmm.

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW

Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)



From: Shoaff, John <Shoaff.John@epa.gov>
Sent: Thursday, February 27, 2020 11:36 AM
To: Gonder, Sharon <Gonder.Sharon@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC 19002 & 18003

Sharon,

I discussed these with Kevin a couple weeks back and have no new news to report unfortunately, but will keep you posted as to when we learn more and feel free to call me as you like. Thanks.

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | Ex. 6 Personal Privacy (PP) **MOBILE**

From: Gonder, Sharon <Gonder.Sharon@epa.gov>
Sent: Wednesday, February 26, 2020 2:12 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RFC 19002 & 18003

Hi John,

During my weekly meetings with Vaughn I update him on the status of our IQGs. My staff has informed me that the RFC 19002, Greenhouse Gas Endangerment Finding and RFC 18003, Ethylene Oxide have not moved out of the OAR.

As you may be aware, recent OMB requirements require us to respond to information owners in 120 days and both these RFCs are overdue. I'd appreciate if you would update me on the status of these responses.

Thank you,

Sharon Gonder | Acting Deputy Office Director
Office of Enterprise Information Programs
Office of Mission Support | U.S. Environmental Protection Agency
(202) 564-5256 | gonder.sharon@epa.gov



Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 4/5/2021 9:56:28 PM
To: Tallent, Robert [Tallent.Robert@epa.gov]
Subject: RE: Draft Response - RFC 19002 - GHG Endangerment Finding to OMB for review/comment

Hi Bob - - Thank you for the explanation. Yes, this is what I was questioning. Let me read through and then send to Jeff.

Katherine

From: Tallent, Robert <Tallent.Robert@epa.gov>
Sent: Monday, April 5, 2021 3:57 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: Draft Response - RFC 19002 - GHG Endangerment Finding to OMB for review/comment

Hi Katherine,

Edits have been made.

You are asking if this is correct?

As previously stated, because EPA did not consider the TSD as a scientific assessment, the requirements imposed by the 2005 OMB memorandum and cited by the RFC regarding *simultaneous* peer review and public review, "[w]henever feasible and appropriate", are not applicable. RFC at p. 4 (quoting 70 Fed. Reg. 2676).

The OMB Federal Register section that is called out in the OAR response. The section states:

5. Opportunity for Public Participation: Whenever feasible and appropriate, the agency shall make the draft scientific assessment available to the public for comment at the same time it is submitted for peer review (or during the peer review process) and sponsor a public meeting where oral presentations on scientific issues can be made to the peer reviewers by interested members of the public. When employing a public comment process as part of the peer review, the agency shall, whenever practical, provide peer reviewers with access to public comments that address significant scientific or technical issues. To ensure that public participation does not unduly delay agency activities, the agency shall clearly specify time limits for public participation throughout the peer review process.

Yes, what is stated in the RFC and quoted in the response is correct, but OAR does not believe: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks for the review and comments.

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460

Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Monday, April 5, 2021 2:56 PM
To: Tallent, Robert <Tallent.Robert@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: Draft Response - RFC 19002 - GHG Endangerment Finding to OMB for review/comment

Hi Bob - - I've reviewed the DRAFT response, please see my edits and correct as necessary and answer my one question.

I ask going forward that you please do a thorough review and check acronyms and formatting. These types of corrections should be made before sending to me.

I'll wait until you send this back.

Thank you!
Katherine

From: Tallent, Robert <Tallent.Robert@epa.gov>
Sent: Monday, April 5, 2021 12:00 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: Draft Response - RFC 19002 - GHG Endangerment Finding to OMB for review/comment

(sigh) oh my Okay. Attached is the draft response

Sorry about that.

Thanks

B

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)

WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Monday, April 5, 2021 11:55 AM
To: Tallent, Robert <Tallent.Robert@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: Draft Response - RFC 19002 - GHG Endangerment Finding to OMB for review/comment

Hi Bob - - I'm happy to send this forward to Jeff being going to OMB; however, you did not include the response to the requestor, rather you included the email to OMB. Please attach.

Thank you!

Katherine

From: Tallent, Robert <Tallent.Robert@epa.gov>
Sent: Monday, April 5, 2021 10:54 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: Draft Response - RFC 19002 - GHG Endangerment Finding to OMB for review/comment

Hi Katherine,

Below is the email string for Jeff to approve and you to send to April Kluever et al for review and comment of RFC 19002 – GHG Endangerment Finding.
The draft response and the original RFC are attached.

As this is one of our old ones, I don't think

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks

Bob

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 11/4/2019 9:07:34 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Kevin - - You got it and I will be sending the OLEM QMP to Sharon later today **Ex. 6 Personal Privacy (PP)**
Ex. 6 Personal Privacy (PP). I need to finish my PARS first and send them to Jeff today. Please don't forget to yours and schedule meeting with me to review and sign off. They must be done by next Friday.

I'm not forgetting about your actions. It's just that I'm swamped! Thank you for all you do Kevin!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: **Ex. 6 Personal Privacy (PP)**
chalfant.katherine@epa.gov

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Monday, November 04, 2019 4:04 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Thanks Katherine!

By way of timing, I heard back from Rona earlier this morning, who sent me a status update that a colleague higher on her management chain had recently briefed the OAR AA on both this response and a related 3rd party response to Murray Energy. Hopefully this will have been the tickler to move this...

Thanks for adding your shoulder to the push!

KJK

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Monday, November 4, 2019 3:24 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Gunning, Paul <Gunning.Paul@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Rona - - Thank you for your prompt reply!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information

1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, November 04, 2019 3:17 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Gunning, Paul <Gunning.Paul@epa.gov>
Subject: Re: RFC #19002 - Greenhouse Gas Endangerment Finding

Hi Katherine, that is correct, we have sent the suggested response to the OAR acting AA for her review. We will let you know as soon as we get a response.

Thanks, Rona

Sent from my iPhone

On Nov 4, 2019, at 2:36 PM, Chalfant, Katherine <Chalfant.Katherine@epa.gov> wrote:

Hi Rona - - I'm reaching out to you as requested by Kevin Kirby to check on the status of the response for RFC #19002. In addition, today I received a call from the requestor, Devin Watkins checking on the status of a response from EPA.

We are currently showing the status as awaiting response from OAR management. Any information you can provide us would be greatly appreciated. If you have any questions please don't hesitate to call me at the number below.

Thank you!

Regards,
Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

Message

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 11/19/2019 8:51:09 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Hi Kevin - - Thanks for sending this note forward. Again, let's try and remember to use the BLUF: concept upfront with Sharon and Jeff. They see a lot of information and we need to get them a few summary points.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Tuesday, November 19, 2019 3:26 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Wells, Jeffrey <Wells.jeffrey@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

This is a draft response overtaken by events concerning RFC #19002, which EQMD is managing through the IQG process. This request challenges the "endangerment finding" as expressed and presented by the Intergovernmental Panel on Climate Change (IPCC). The Scoping Team for this request provided input to the information owner lead in OAR, Rona Birnbaum on Sept. 12, 2019. This has been stalled in the OAR IO for about two months.

As recently as yesterday (Nov. 18), I received word from Rona that the OAR IO had returned comments and the writing team is in process of updating the draft response.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

To provide a slightly wider context, there are three related responses being prepared for other organizations that provided 3rd Party correspondence in this IQG request, including

- Murray Energy Corp.
- Environmental Defense Fund, and
- Attorney's General for a coalition of 17 States

It's great to see this moving again!
Kevin

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Tuesday, November 19, 2019 10:20 AM
To: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Hi Jeff - - This certainly belongs to us. I'm forwarding this and including Kevin on this email so he can look into it.

Kevin - - Please take action and provide an update prior to the end of the week.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

From: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Sent: Tuesday, November 19, 2019 10:00 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Ex. 5 Deliberative Process (DP)

From: Zeckman, David <zeckman.david@epa.gov>
Sent: Tuesday, November 19, 2019 9:24 AM
To: Grimm, Patrick <Grimm.Patrick@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Pat,

OP passed this request-for-correction to me and asked me to follow-up. It is my understanding that OCAPPM handles these ROCs. It looks like OMS was involved and provided input in the past, but I'm not sure Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Can you check on this and provide a status update? The prior emails contain some history, which you can read below. Given that it goes back to September, I've cc'd Jeff, as he may have some awareness of this request.

Thanks and let me know if I can help in anyway.

Regards,

David Zeckman
Associate Deputy Assistant Administrator
Office of Mission Support

Begin forwarded message:

From: "Woods, Clint" <woods.clint@epa.gov>
Date: September 19, 2019 at 4:18:15 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Appointment

From: Chalfant, Katherine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C340D89F94584F1DA6BCD101B2FAD166-CHALFANT, KATHERINE]
Sent: 12/5/2019 5:01:12 PM
To: Wells, Jeffrey [Wells.jeffrey@epa.gov]
Subject: FW: Internal Discussion RFC #19002 and RFR #19001 both submitted by the Competitive Enterprise Institute (CEI).
Location: Ex. 7(C)
Start: 12/9/2019 2:30:00 PM
End: 12/9/2019 3:00:00 PM
Show Time As: Tentative

FYI, my apologies for not including you on the original invite.

Katherine

-----Original Appointment-----

From: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Sent: Wednesday, December 04, 2019 1:21 PM
To: Noga, Vaughn; Gonder, Sharon; Chalfant, Katherine; Kirby, Kevin
Subject: Internal Discussion RFC #19002 and RFR #19001 both submitted by the Competitive Enterprise Institute (CEI).
When: Monday, December 09, 2019 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Ex. 7(C)

Ex. 6 Personal Privacy (PP) - Conference Line Information

Title of meeting or event: Internal Discussion RFC #19002 and RFR #19001 both submitted by the Competitive Enterprise Institute (CEI).

- **Purpose:** Hold an internal discussion to discuss the status of the RFC and RFR and actions to be taken.
- **Desired Outcome:** Provide information to ensure the CIO has the current status for these requests.
- **Will there be advance materials (Y/N)?** No
- **If yes, provide the name of individual who will be providing materials:** Katherine Chalfant and Kevin Kirby
- **Date desired for meeting, or no later than:** At the earliest convenience of the CIO's calendar on Dec 5th and prior to the meeting with Matt Leopold and Brittany Biles.

- **Length of meeting/event:** 30 min
- **Location:** Audio Assist or per the CIO's request
- **Participants:**
 - Vaughn Noga
 - Sharon Gonder
 - Katherine Chalfant
 - Kevin Kirby
- **Do you need an audio line (Y/N)?** No
- **If yes, do you expect more than 5 individuals to call in?** No

POC for questions: Katherine Chalfant (202-564-1511) or Kevin Kirby (202-566-1656)

As of 12/4/19 scheduled – Linda

Message

From: Cory, Preston [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BFD80B15F6D04A3BA11FC8CA3C85BC50-CORY, KATHE]
Sent: 11/18/2019 7:31:59 PM
To: Harlow, David [harlow.david@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; 11-18-2019 Redline CEI Letter dsl.docx

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM

To: Woods, Clint <woods.clint@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher

Sent: Wednesday, September 11, 2019 8:32 PM

To: Idsal, Anne <idsal.anne@epa.gov>

Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Cory, Preston [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BFD80B15F6D04A3BA11FC8CA3C85BC50-CORY, KATHE]
Sent: 11/18/2019 9:13:40 PM
To: Shoaff, John [Shoaff.John@epa.gov]; Crimmins, Allison [Crimmins.Allison@epa.gov]
CC: Harlow, David [harlow.david@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; 11-18-2019 Redline CEI Letter dsl.docx

John and Allison,

FYI.

From: Cory, Preston
Sent: Monday, November 18, 2019 2:32 PM
To: Harlow, David <harlow.david@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

To: Idsal, Anne[idsal.anne@epa.gov]; Dominguez, Alexander[dominguez.alexander@epa.gov]
Cc: Harlow, David[harlow.david@epa.gov]
From: Cory, Preston[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BFD80B15F6D04A3BA11FC8CA3C85BC50-CORY, KATHE]
Sent: Wed 11/13/2019 11:04:30 PM (UTC)
Subject: RE: Murray Energy Request for Correction
[kpcMurray RFC EditsClean.docx](#)
[kpcMurray RFC Edits.docx](#)

Adding David for his insight.

From: Idsal, Anne <idsal.anne@epa.gov>
Sent: Wednesday, November 13, 2019 1:42 PM
To: Cory, Preston <Cory.Preston@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: FW: Murray Energy Request for Correction

FYI

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, November 1, 2019 9:44 AM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Harlow, David <harlow.david@epa.gov>
Subject: Murray Energy Request for Correction

Anne,

As I mentioned in our one on one last Friday, we have been working with OGC and OMS on a response to the Murray Energy request for correction (RFC) on the agency’s 2009 endangerment finding and technical support document for GHGs. Attached you will find OAP’s recommended response along with the original Murray Energy RFC. Please note that this RFC largely reiterates many of the issues introduced by CEL in their REC that was submitted back in May. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Cory, Preston [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BFD80B15F6D04A3BA11FC8CA3C85BC50-CORY, KATHE]
Sent: 11/18/2019 9:14:36 PM
To: Gunning, Paul [Gunning.Paul@epa.gov]; Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]
CC: Harlow, David [harlow.david@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; 11-18-2019 Redline CEI Letter dsl.docx

All- please find attached the revised CEI letter. A redline and clean version are included.

Thanks,
Preston

From: Cory, Preston
Sent: Monday, November 18, 2019 2:32 PM
To: Harlow, David <harlow.david@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). David and I are also seeking clarification on page 3 where we outline CEI's assertions. Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Cory, Preston [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BFD80B15F6D04A3BA11FC8CA3C85BC50-CORY, KATHE]
Sent: 11/15/2019 8:33:42 PM
To: Harlow, David [harlow.david@epa.gov]
Subject: CEI
Attachments: CEI_RFC_9_11_19_clean.docx

David,

I attempted to edit this, but ultimately need guidance from you on whether or not these changes are appropriate. Thank you for your insight!

K. Preston Cory
Office of Air and Radiation
U.S. Environmental Protection Agency
Office: 202-564-0137
Ex. 6 Personal Privacy (PP)
cory.preston@epa.gov

Message

From: Idsal, Anne [idsal.anne@epa.gov]
Sent: 11/14/2019 1:16:03 PM
To: Cory, Preston [Cory.Preston@epa.gov]
Subject: Re: Murray Energy Request for Correction

OP has the CEI letter at this point. We are overdue to respond.

Sent from my iPhone

On Nov 13, 2019, at 6:16 PM, Cory, Preston <Cory.Preston@epa.gov> wrote:

Anne- did you mean to send the CEI letter?

From: Idsal, Anne <idsal.anne@epa.gov>
Sent: Wednesday, November 13, 2019 1:42 PM
To: Cory, Preston <Cory.Preston@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: FW: Murray Energy Request for Correction

FYI

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, November 1, 2019 9:44 AM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Harlow, David <harlow.david@epa.gov>
Subject: Murray Energy Request for Correction

Anne,

As I mentioned in our one on one last Friday, we have been working with OGC and OMS on a response to the Murray Energy request for correction (RFC) on the agency's 2009 endangerment finding and technical support document for GHGs. Attached you will find OAP's recommended response along with the original Murray Energy RFC. Please note that this RFC largely reiterates many of the issues introduced by CEI in their RFC that was submitted back in May.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Harlow, David [harlow.david@epa.gov]
Sent: 11/18/2019 12:55:58 PM
To: Cory, Preston [Cory.Preston@epa.gov]
Subject: RLSO of draft response to CEI's RFC
Attachments: dshRLSO CEI_RFC_9_11_19_clean (002).docx

Flag: Follow up

Preston,

Attached is what I've come up with. Again, the underlying document was *your* RLSO of the original OAP draft. I "accepted all" of your changes and then made further edits, principally to advance my own sense of "readability," such as it is, as well as to vindicate certain stylistic fetishes on my part.

See, however, the long-ish bubbled comment on page 3 of the RLSO. I welcome your thoughts on what I'm trying to say there. You might have a better grasp of what OAP was trying to communicate in its original draft.

Thank you.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

Message

From: Shoaff, John [Shoaff.John@epa.gov]
Sent: 11/18/2019 10:03:48 PM
To: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]; Clarke, Deirdre [clarke.deirdre@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]
CC: Hockstad, Leif [Hockstad.Leif@epa.gov]; Crimmins, Allison [Crimmins.Allison@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; 11-18-2019 Redline CEI Letter dsl.docx

Chris, Suzie, Deirdre,

Just connecting dots as believe you (Chris) are on the road and hopefully not up at present. See below and wonder if Paul/Rona might be able to help answer. For awareness, Allison C. is now covering Info. Quality issues with Tom Eagles' retirement and OMS has been inquiring as to the status of these so good to see that there's some movement. Thanks!

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.john@epa.gov | 1-202-564-0531 DIRECT | **Ex. 5 Deliberative Process (DP)**

From: Cory, Preston <Cory.Preston@epa.gov>
Sent: Monday, November 18, 2019 4:14 PM
To: Shoaff, John <Shoaff.John@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

John and Allison,

FYI.

From: Cory, Preston
Sent: Monday, November 18, 2019 2:32 PM
To: Harlow, David <harlow.david@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM

To: Cory, Preston <Cory.Preston@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow

Senior Counsel

Immediate Office of the Acting Assistant Administrator

Office of Air and Radiation, USEPA

WJC-N Room 5409K

1200 Pennsylvania Avenue NW

Washington, DC 20460

202-564-1233

Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>

Sent: Thursday, September 19, 2019 4:18 PM

To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>

Sent: Thursday, September 19, 2019 4:17 PM

To: Woods, Clint <woods.clint@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director

Office of Atmospheric Programs

U.S. Environmental Protection Agency

202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP) (mobile)

From: Grundler, Christopher

Sent: Wednesday, September 11, 2019 8:32 PM

To: Idsal, Anne <idsal.anne@epa.gov>

Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Hockstad, Leif [Hockstad.Leif@epa.gov]
Sent: 1/15/2021 3:01:29 PM
To: Crimmins, Allison [Crimmins.Allison@epa.gov]
CC: Shoaff, John [Shoaff.John@epa.gov]
Subject: RE: IQGs - Request Your Assistant

Allison – Yes, Betsy shared that she got this from Vaughn. There is a collection of petition stuff bubbling up that we should catch up on, but both you and John are out today (Friday). Let's find time, maybe Tuesday morning, to all review everything and make sure we are all on the same page.

Thanks,
Leif

From: Crimmins, Allison <Crimmins.Allison@epa.gov>
Sent: Friday, January 15, 2021 9:57 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>
Cc: Shoaff, John <Shoaff.John@epa.gov>
Subject: Fwd: IQGs - Request Your Assistant

I'm out today but wanted to forward this so you know Betsy received it.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

-Allison

Sent from my iPhone

Begin forwarded message:

From: "Noga, Vaughn" <Noga.Vaughn@EPA.GOV>
Date: January 14, 2021 at 3:38:44 PM EST
To: "Shaw, Betsy" <Shaw.Betsy@epa.gov>
Cc: "Wells, Jeffrey" <Wells.jeffrey@epa.gov>, "Grimm, Patrick" <Grimm.Patrick@epa.gov>, "Tallent, Robert" <Tallent.Robert@epa.gov>, "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>, "Crimmins, Allison" <Crimmins.Allison@epa.gov>, "Collard, Erin" <Collard.Erin@epa.gov>, "Alvarado, David" <alvarado.david@epa.gov>, "Henderson, Austin" <Henderson.Austin@epa.gov>
Subject: IQGs - Request Your Assistant

Betsy,

As you know we have 120-day turn-around time for a Request for Correction (RFC) which depends on the engagement of the respective information owners. I'd appreciate your assistance in resolving the IQG case RFC 19002 – Greenhouse Gas Endangerment Finding shown below as it is long overdue.

You also have RFC 21001 that your staff has been actively working. We have had it for 86 days, but it still needs to be reviewed by OMB before we can send to the requestor. That may put it over the 120-day target.

<i>IQG ID</i>	<i>Topic</i>	<i>Information</i>	<i>Date</i>	<i>Days</i>	<i>Status / Action Needed</i>
---------------	--------------	--------------------	-------------	-------------	-------------------------------

		<i>Owner</i>	<i>Received</i>	<i>Active</i>	
RFC 19002	Greenhouse Gas Endangerment Finding	OAR	5/13/2019	612	Held up in OAR IO
RFC 21001	Greenhouse Effect	OAR	10/20/2020	86	Draft response in OAR mgmt. Need to send to OMB for comment.

Active as of January 14, 2021

Thanks for your help,

Vaughn Noga, Chief Information Officer
and Deputy Assistant Administrator for Environmental Information
Office of Mission Support
U.S. Environmental Protection Agency
1200 Pennsylvania Ave
Washington DC 20460

Message

From: Zeckman, David [zeckman.david@epa.gov]
Sent: 11/19/2019 2:24:24 PM
To: Grimm, Patrick [Grimm.Patrick@epa.gov]
CC: Wells, Jeffrey [Wells.jeffrey@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: CEI_RFC_9_11_19_clean.docx; ATT00001.htm

Pat,

OP passed this request-for-correction to me and asked me to follow-up. It is my

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

It looks like OMS was involved and provided input in the past,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Can you check on this and provide a status update? The prior emails contain some history, which you can read below. Given that it goes back to September, I've cc'd Jeff, as he may have some awareness of this request.

Thanks and let me know if I can help in anyway.

Regards,

David Zeckman
Associate Deputy Assistant Administrator
Office of Mission Support
Environmental Protection Agency
(202) 564-7623

Begin forwarded message:

From: "Woods, Clint" <woods.clint@epa.gov>
Date: September 19, 2019 at 4:18:15 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)
Ex. 6 Personal Privacy (PP) (mobile)

From: Grundler, Christopher

Sent: Wednesday, September 11, 2019 8:32 PM

To: Idsal, Anne <idsal.anne@epa.gov>

Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Grundler, Christopher [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D3BE58C2CC8545D88CF74F3896D4460F-GRUNDLER, CHRISTOPHER]
Sent: 3/23/2021 11:24:28 PM
To: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]
CC: Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Gunning, Paul [Gunning.Paul@epa.gov]; Schmeltz, Rachel [Schmeltz.Rachel@epa.gov]
Subject: Re: RFC 19002 - GHG Endangerment Finding

Will review tonight

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
(202) 343-9140 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)

On Mar 23, 2021, at 5:43 PM, Kocchi, Suzanne <Kocchi.Suzanne@epa.gov> wrote:

Are we all good with this and just waiting for Chris to say ok?

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Tuesday, March 23, 2021 12:15 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Schmeltz, Rachel <Schmeltz.Rachel@epa.gov>
Subject: RE: RFC 19002 - GHG Endangerment Finding

Here is the revised draft with OGC comments from Melina incorporated. OAPPS can help to get this in front of Joe G for review but not signature yet. Let me know if/when you'd like me to ask OAPPS to proceed.

Thanks, Rona

From: Birnbaum, Rona
Sent: Monday, March 22, 2021 6:02 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Schmeltz, Rachel <Schmeltz.Rachel@epa.gov>
Subject: Re: RFC 19002 - GHG Endangerment Finding

We received additional comments from OGC this morning ...
will incorporate those and send another version.
Thanks, Rona

Sent from my iPhone

On Mar 19, 2021, at 1:40 PM, Gunning, Paul <Gunning.Paul@epa.gov> wrote:

Chris – This is taking a lot longer than anticipated, but we are ready to start moving forward with our response to CEI for their Request for Correction on the Endangerment Finding. The attached draft is very similar to what we shared with you several weeks ago with a few differences.....

Ex. 5 Deliberative Process (DP)

Please let us know if you have any comments. The next step would be for us to send this up to the front office for Joe's review before EQMD sends to OMB for their review. EQMD will wait for our go-ahead to send to OMB. Once OMB comments/clears we will send out the final RFC response to CEI.

Paul

<CEI RFC response letter.3.12.21.clean.docx>
<rfc_19002_-_endangerment_cei.pdf>

Message

From: Shoaff, John [Shoaff.John@epa.gov]
Sent: 2/3/2021 6:46:33 PM
To: Grundler, Christopher [grundler.christopher@epa.gov]
CC: Shaw, Betsy [Shaw.Betsy@epa.gov]
Subject: FW: Status: Response to Request for Corrections under the Data Quality Act
Attachments: RFC_summaries.1.29.21.docx

Chris,

Just curious, if you got a signal from Joe to proceed with the Tinker response (excerpt below from the attached)?

Ex. 5 Deliberative Process (DP)

We were nudged from OMS on status so if amenable, I could remind Joe at Roundtable tomorrow AM that we'd like to fwd the draft response to OMS asap so they can share with OMB and keep us on time with our process. It comes back to him (Joe) thereafter so he'll have a second/final bite at this as needed.

Wasn't going to get into the other one, but could if helpful. Thanks.

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | **Ex. 6 Personal Privacy (PP)**

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, January 29, 2021 2:49 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Status: Response to Request for Corrections under the Data Quality Act

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP. **Ex. 5 Deliberative Process (DP)**

As promised, attached is the one pager that provides a summary of the two RFCs and our response, and a refresher on the process. We are reviewing and updating the responses, and will plan on working with John Shoaff and his staff for OAR review, and then on to the Office of Mission Support (OMS) to clear and get our draft responses over to OMB for review. After review, they come back to us to review any OMB comments, and then to you for signature.

Ex. 5 Deliberative Process (DP)

Thanks

Chris

Christopher Grundle, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343.9140 (o)

Ex. 6 Personal Privacy (PP)

Message

From: Gunning, Paul [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F65040017F05429AA05572F096A50463-PGUNNING]
Sent: 9/20/2019 1:29:01 PM
To: Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

Sent from my iPhone

Begin forwarded message:

From: "Woods, Clint" <woods.clint@epa.gov>
Date: September 19, 2019 at 6:31:08 PM EDT
To: "Gunning, Paul" <Gunning.Paul@epa.gov>
Cc: "Grundler, Christopher" <grundler.christopher@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Subject: Re: Draft Response to CEI's "Request for Correction" under Information Quality Act

Thanks so much! Think we'll want to talk further (maybe latter part of next week?) on this front soon.

On Sep 19, 2019, at 4:33 PM, Gunning, Paul <Gunning.Paul@epa.gov> wrote:

Clint

Per your request below is what Chris sent to Anne

Let me know if you have any questions

Thanks

Paul

Sent from my iPhone

Begin forwarded message:

From: "Grundler, Christopher" <grundler.christopher@epa.gov>
Date: September 11, 2019 at 8:32:03 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>
Cc: "Harlow, David" <harlow.david@epa.gov>, "Gunning, Paul" <Gunning.Paul@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>, "Shaw, Betsy" <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

<CEI_RFC_9_11_19_clean.docx>

Christopher Grundler, Director
Office of Atmospheric Protection
U.S. Environmental Protection Agency
202.343.9140

Ex. 6 Personal Privacy (PP)

Message

From: Gunning, Paul [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F65040017F05429AA05572F096A50463-PGUNNING]
Sent: 11/18/2019 9:08:05 PM
To: Rona Birnbaum [Birnbaum.Rona@epa.gov]
CC: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Suzanne Kocchi [Kocchi.Suzanne@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; ATT00001.htm; 11-18-2019 Redline CEI Letter dsl.docx; ATT00002.htm

Ex. 5 Deliberative Process (DP) Lets try and turn this around quickly.

Thanks

Paul

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Monday, November 18, 2019 3:58 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

I can't read redline on my phone. Pls review and loop in OGC. Let me know nature if edits. Thx

Sent from my iPhone

Begin forwarded message:

From: "Cory, Preston" <Cory.Preston@epa.gov>
Date: November 18, 2019 at 8:32:00 PM GMT+1
To: "Harlow, David" <harlow.david@epa.gov>, "Grunder, Christopher" <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy) **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM
To: Cory, Preston <Cory.Preston@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow
Senior Counsel
Immediate Office of the Acting Assistant Administrator
Office of Air and Radiation, USEPA
WJC-N Room 5409K
1200 Pennsylvania Avenue NW
Washington, DC 20460
202-564-1233
Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>
Sent: Thursday, September 19, 2019 4:18 PM
To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Gunning, Paul [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F65040017F05429AA05572F096A50463-PGUNNING]
Sent: 11/20/2019 6:15:31 PM
To: Cory, Preston [Cory.Preston@epa.gov]
CC: Harlow, David [harlow.david@epa.gov]; Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Rona Birnbaum [Birnbaum.Rona@epa.gov]
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-20-2019 CEI letter.clean.docx; 11-18-2019 Redline CEI Letter dsl.rb.docx

Preston

Attached is the revised CEI letter - clean and redline versions. We incorporated all of David's edits and suggestions (which were excellent) **Ex. 5 Deliberative Process (DP)** If you guys are OK with this, we can send along to OMS who will then transmit to OMB for their review. While we don't need a signature at this point in the process, we should add either Anne or Betsy to the signature block. Just let us know how you want to handle and we can move it forward.

Thanks!

Paul

From: Cory, Preston <Cory.Preston@epa.gov>
Sent: Monday, November 18, 2019 4:15 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

All- please find attached the revised CEI letter. A redline and clean version are included.

Thanks,
Preston

From: Cory, Preston
Sent: Monday, November 18, 2019 2:32 PM
To: Harlow, David <harlow.david@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy). **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM

To: Cory, Preston <Cory.Preston@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow

Senior Counsel

Immediate Office of the Acting Assistant Administrator

Office of Air and Radiation, USEPA

WJC-N Room 5409K

1200 Pennsylvania Avenue NW

Washington, DC 20460

202-564-1233

Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>

Sent: Thursday, September 19, 2019 4:18 PM

To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>

Sent: Thursday, September 19, 2019 4:17 PM

To: Woods, Clint <woods.clint@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher

Sent: Wednesday, September 11, 2019 8:32 PM

To: Idsal, Anne <idsal.anne@epa.gov>

Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Gunning, Paul [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F65040017F05429AA05572F096A50463-PGUNNING]
Sent: 9/12/2019 2:25:58 PM
To: Rona Birnbaum [Birnbaum.Rona@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: CEI_RFC_9_11_19_clean.docx; ATT00001.htm

FYI.....Chris sent this last night. He has a meeting with Anne today and I told him to mention that we also got a similar request from Murry Energy and we will be following up with a similar response in a week or two.

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

From: Gunning, Paul [Gunning.Paul@epa.gov]
Sent: 1/29/2021 2:59:58 PM
To: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Subject: Re: RFCs 1-pager
Attachments: RFC_summaries.1.29.21.docx

Ex. 5 Deliberative Process (DP)

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Friday, January 29, 2021 9:51 AM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Subject: RE: RFCs 1-pager

Ex. 5 Deliberative Process (DP)

From: Birnbaum, Rona
Sent: Friday, January 29, 2021 9:34 AM
To: Paul Gunning (Gunning.Paul@epa.gov) <Gunning.Paul@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Jeremy Martinich (martinich.jeremy@epa.gov) <martinich.jeremy@epa.gov>
Subject: RFCs 1-pager

Paul, see attached 1-pager for Chris and then for Joe. Let us know if anything further is needed.
Thanks, Rona

Message

From: Harlow, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B5A9A34E31FC4FE6B2BEADDDA2AFFA44-HARLOW, DAV]
Sent: 11/22/2019 2:42:13 PM
To: Schwab, Justin [Schwab.Justin@epa.gov]
Subject: Fwd: Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-22-2019 CEI letter.docx; ATT00001.htm

FYI and awareness. This won't be going over to OMB until OP and the AO is provided a heads-up.

This is strictly about the IQA, of course, but since it atmospherically touches upon "endangerment," it may generate notice.

[I'm assuming here that you're okay nowadays dealing with CEI things.]

Sent from my iPhone

Begin forwarded message:

From: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Date: November 22, 2019 at 8:54:20 AM EST
To: "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>
Cc: "Gunning, Paul" <Gunning.Paul@epa.gov>, "Grundler, Christopher" <grundler.christopher@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Cory, Preston" <Cory.Preston@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>
Subject: Response to CEI's "Request for Correction" under Information Quality Act

Hello Kevin, attached is the response to CEI's request for correction. It's been reviewed by OAR's front office and is ready to move on to the next step in the process. Please let us know if you have any questions. Thanks, Rona

Message

From: Harlow, David [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B5A9A34E31FC4FE6B2BEADDDA2AFFA44-HARLOW, DAV]
Sent: 11/22/2019 2:35:39 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]
Subject: Fwd: Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-22-2019 CEI letter.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Date: November 22, 2019 at 8:54:20 AM EST
To: "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>
Cc: "Gunning, Paul" <Gunning.Paul@epa.gov>, "Grundler, Christopher" <grundler.christopher@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Cory, Preston" <Cory.Preston@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>
Subject: Response to CEI's "Request for Correction" under Information Quality Act

Hello Kevin, attached is the response to CEI's request for correction. It's been reviewed by OAR's front office and is ready to move on to the next step in the process. Please let us know if you have any questions. Thanks, Rona

Message

From: Shoaff, John [Shoaff.John@epa.gov]
Sent: 1/14/2021 10:13:05 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]
CC: Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]
Subject: FW: IQGs - Request Your Assistant

Leif,

Just discussed this with Betsy. Thought maybe you, Allison and I and perhaps Jonathan as well could discuss next week or the week after and then be prepared to engage new team on next steps depending on level of review/signature that might be required. Thought I'd include in our ppt or an excerpt a "housekeeping" bullet or the like with a few sub-issues for further discussion/follow up/decision and that this and Evidence Act might be at least two of the inclusions. Will also try to fwd you and Jonathan the other similar petitions that David shared with me to help interpret whether they're part of the IQG process or other animals. Thanks!

John

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460-1115A
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | **Ex. 6 Personal Privacy (PP)**

From: Shaw, Betsy <Shaw.Betsy@epa.gov>
Sent: Thursday, January 14, 2021 4:42 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Subject: RE: IQGs - Request Your Assistant

I just ended my last call for the day, so call when convenient for you.

From: Shoaff, John <Shoaff.John@epa.gov>
Sent: Thursday, January 14, 2021 4:04 PM
To: Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: RE: IQGs - Request Your Assistant

Sure. Can chat after a mtg with Leif in a few if you're available. Thanks.

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460-1115A
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | **Ex. 6 Personal Privacy (PP)**

From: Shaw, Betsy <Shaw.Betsy@epa.gov>
Sent: Thursday, January 14, 2021 4:03 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Subject: FW: IQGs - Request Your Assistant

Let's chat about this.

From: Henderson, Austin <Henderson.Austin@epa.gov> **On Behalf Of** Noga, Vaughn
Sent: Thursday, January 14, 2021 3:39 PM
To: Shaw, Betsy <Shaw.Betsy@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Collard, Erin <Collard.Erin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>
Subject: IQGs - Request Your Assistant

Betsy,

As you know we have 120-day turn-around time for a Request for Correction (RFC) which depends on the engagement of the respective information owners. I'd appreciate your assistance in resolving the IQG case RFC 19002 – Greenhouse Gas Endangerment Finding shown below as it is long overdue.

You also have RFC 21001 that your staff has been actively working. We have had it for 86 days, but it still needs to be reviewed by OMB before we can send to the requestor. That may put it over the 120-day target.

<i>IQG ID</i>	<i>Topic</i>	<i>Information Owner</i>	<i>Date Received</i>	<i>Days Active</i>	<i>Status / Action Needed</i>
RFC 19002	Greenhouse Gas Endangerment Finding	OAR	5/13/2019	612	Held up in OAR IO
RFC 21001	Greenhouse Effect	OAR	10/20/2020	86	Draft response in OAR mgmt. Need to send to OMB for comment.

Active as of January 14, 2021

Thanks for your help,

Vaughn Noga, Chief Information Officer
and Deputy Assistant Administrator for Environmental Information
Office of Mission Support
U.S. Environmental Protection Agency
1200 Pennsylvania Ave
Washington DC 20460

Message

From: Shoaff, John [Shoaff.John@epa.gov]
Sent: 1/29/2021 8:34:06 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]
Subject: FW: Status: Response to Request for Corrections under the Data Quality Act
Attachments: RFC_summaries.1.29.21.docx

FYI

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, January 29, 2021 2:49 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Status: Response to Request for Corrections under the Data Quality Act

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP.

Ex. 5 Deliberative Process (DP)

As promised, attached is the one pager that provides a summary of the two RFCs and our response, and a refresher on the process. We are reviewing and updating the responses, and will plan on working with John Shoaff and his staff for OAR review, and then on to the Office of Mission Support (OMS) to clear and get our draft responses over to OMB for review. After review, they come back to us to review any OMB comments, and then to you for signature.

Ex. 5 Deliberative Process (DP)

Thanks

Chris

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343.9140 (o)

Ex. 6 Personal Privacy (PP)

Message

From: Eagles, Tom [Eagles.Tom@epa.gov]
Sent: 5/16/2019 5:53:46 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]
CC: Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]
Subject: Oooops! Forgot to forward this yesterdaay

Leif --

Here's the latest RFC, which you've probably seen mentioned in various newsletters. I informed Kevin Kirby that OAP should be considered the "information owner." Also, OAP's Jackie Krieger informed me that their contact will be Rona Birnbaum.

I expect Kevin will be setting up the initial meeting on this soon. Let me know if you'd like to attend that meeting, and I'll make sure you get an invitation.

Tom Eagles

From: Kirby, Kevin
Sent: Wednesday, May 15, 2019 3:24 PM
To: Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>
Cc: Schenk, Ruth <schenk.ruth@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Colleagues,

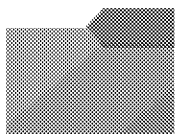
A new Request for Correction (RFC #19002) was submitted this week under the Agency's Information Quality Guidelines which challenges the 2009 GHG Endangerment Finding; information that your office may have disseminated. I've included a link below to the RFC and related artifacts.

Ex. 6 Personal Privacy (PP)

Here's the folder that Kirby, Kevin shared with you.



This link will work for anyone in Environmental Protection Agency (EPA).



RFC 19002 - Endangerment Finding

Open

At this early juncture, I'm trying to determine who the 'Information Owners' are in the Agency and get a list of the right SMEs together that would be part of the Scoping Team to consider this request. Please let me know if this IQG case lands in your arena and who you would like to include in deliberations for developing the response.

Also, to your knowledge, was anyone in ORD involved in the peer review process that is referenced in the request?

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin **On Behalf Of** Quality
Sent: Tuesday, May 14, 2019 11:05 AM
To: 'Devin Watkins' <Devin.Watkins@cei.org>
Cc: Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Dear Mr. Watkins,

Thanks you for your submittal of a request for correction regarding information the Agency disseminated concerning the 2009 GHG Endangerment Finding and supporting Technical Support Document.

In accordance with EPA's Information Quality Guidelines (IQGs), we are assigning a unique tracking number to your request: **RFC #19002**. Please use this number in all future correspondence to the Agency concerning this request.

Our target due date to provide you with a response or a status update is Sept. 18, 2019, which is 90 business days from the date you submitted your request.

We appreciate your attention to quality information!

EPA Quality Staff

From: Devin Watkins <Devin.Watkins@cei.org>
Sent: Monday, May 13, 2019 11:26 AM
To: Quality <Quality@epa.gov>
Subject: Request for Correction Concerning 2009 Endangerment Finding

Dear Vincia Holloman and Information Quality Guidelines Processing Staff,

Please see attached for the Request for Correction that we are hereby submitting under the Information Quality Act.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor

Washington, DC 20005
202-331-2278

Appointment

From: Eagles, Tom [Eagles.Tom@epa.gov]
Sent: 7/10/2019 1:19:34 PM
To: Hockstad, Leif [Hockstad.Leif@epa.gov]
Subject: FW: RFC Scoping Team mtg. GHG Endangerment Finding
Attachments: RFC 19002 - Endangerment CEI.pdf
Location: Ex. 7(C)
Start: 7/11/2019 8:00:00 PM
End: 7/11/2019 9:00:00 PM
Show Time As: Tentative

-----Original Appointment-----

From: Kirby, Kevin
Sent: Tuesday, July 09, 2019 3:53 PM
To: Kirby, Kevin; Birnbaum, Rona; Martinich, Jeremy; Sarofim, Marcus; Eagles, Tom
Subject: RFC Scoping Team mtg. GHG Endangerment Finding
When: Thursday, July 11, 2019 4:00 PM-5:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Ex. 7(C)

Colleagues,

The purpose of this meeting is to consider a Request for Correction (RFC #19002) submitted by CEI concerning EPA's 2009 GHG Endangerment Finding and begin to develop an appropriate response. Please help me ensure that the right SMEs are included and let me know if another office (ORD) may have been involved in the development of the referenced document. I have included a copy of the RFC and will develop a OneDrive IQG file folder to help manage the artifacts we may be referencing in developing the response.

Look for an agenda that I will send out prior to the meeting and please respond to this invite so that I know who's engaged.

For those outside of EPA HQ in DC, our **telecon will be** Ex. 6 Personal Privacy (PP); **Access code** Ex. 6 Personal Privacy (PP)

Thanks!

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

Message

From: Hockstad, Leif [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A4FB1F8930645EFA34FDFA7485BC6DA-LHOCKSTA]
Sent: 11/5/2019 2:04:54 PM
To: Shoaff, John [Shoaff.John@epa.gov]
Subject: FW: RFC #19002 - Greenhouse Gas Endangerment Finding

FYI

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Tuesday, November 5, 2019 7:33 AM
To: Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>
Subject: Fwd: RFC #19002 - Greenhouse Gas Endangerment Finding

Begin forwarded message:

From: "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Date: November 4, 2019 at 3:23:49 PM EST
To: "Birnbaum, Rona" <Birnbaum.Rona@epa.gov>
Cc: "Gonder, Sharon" <Gonder.Sharon@epa.gov>, "Kirby, Kevin" <KIRBY.KEVIN@EPA.GOV>, "Gunning, Paul" <Gunning.Paul@epa.gov>, "Chalfant, Katherine" <Chalfant.Katherine@epa.gov>
Subject: RE: RFC #19002 - Greenhouse Gas Endangerment Finding

Rona - - Thank you for your prompt reply!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511

Ex. 6 Personal Privacy (PP)

chalfant.katherine@epa.gov

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, November 04, 2019 3:17 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Gunning, Paul <Gunning.Paul@epa.gov>
Subject: Re: RFC #19002 - Greenhouse Gas Endangerment Finding

Hi Katherine, that is correct, we have sent the suggested response to the OAR acting AA for her review.
We will let you know as soon as we get a response.

Thanks, Rona

Sent from my iPhone

On Nov 4, 2019, at 2:36 PM, Chalfant, Katherine <Chalfant.Katherine@epa.gov> wrote:

Hi Rona - - I'm reaching out to you as requested by Kevin Kirby to check on the status of the response for RFC #19002. In addition, today I received a call from the requestor, Devin Watkins checking on the status of a response from EPA.

We are currently showing the status as awaiting response from OAR management. Any information you can provide us would be greatly appreciated. If you have any questions please don't hesitate to call me at the number below.

Thank you!

Regards,
Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Ex. 6 Personal Privacy (PP)
chalfant.katherine@epa.gov

Message

From: Hockstad, Leif [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A4FB1F8930645EFA34FDFA7485BC6DA-LHOCKSTA]
Sent: 1/29/2021 9:52:17 PM
To: Allison Crimmins (Crimmins.Allison@epa.gov) [Crimmins.Allison@epa.gov]
Subject: FW: Status: Response to Request for Corrections under the Data Quality Act
Attachments: RFC_summaries.1.29.21.docx

FYI

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, January 29, 2021 2:49 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Status: Response to Request for Corrections under the Data Quality Act

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP. **Ex. 5 Deliberative Process (DP)**

As promised, attached is the one pager that provides a summary of the two RFCs and our response, and a refresher on the process. We are reviewing and updating the responses, and will plan on working with John Shoaff and his staff for OAR review, and then on to the Office of Mission Support (OMS) to clear and get our draft responses over to OMB for review. After review, they come back to us to review any OMB comments, and then to you for signature.

Ex. 5 Deliberative Process (DP)

Thanks

Chris

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343.9140 (o)

Ex. 6 Personal Privacy (PP)

Message

From: Hockstad, Leif [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A4FB1F8930645EFA34FDFA7485BC6DA-LHOCKSTA]
Sent: 3/29/2021 2:55:18 PM
To: Allison Crimmins (Crimmins.Allison@epa.gov) [Crimmins.Allison@epa.gov]
Subject: FW: RFC for Joe's review en route to OMS-OMB before returning for final review and signature
Attachments: CEI RFC response letter.3.24.21.clean.docx

FYI

From: Shoaff, John <Shoaff.John@epa.gov>
Sent: Friday, March 26, 2021 2:40 PM
To: Campbell, Ann <Campbell.Ann@epa.gov>
Cc: Shaw, Betsy <Shaw.Betsy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: RFC for Joe's review en route to OMS-OMB before returning for final review and signature

Ann,

Great if you can add this to Joe's weekend reading folder. Please note that this is only at a "review" phase. Next step is for Bob Talent/OMS to send it to OMB. Upon completion of OMB review it will be sent back to us and only then will the request become "review and sign" for Joe. At that step, we'll reformat and work with Sabrina as needed. In interim, we'll try to see how OMS includes with CMS. Thanks!

John

JOHN SHOAFF (HE/HIM/HIS) | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT Ex. 6 Personal Privacy (PP)

Message

From: Hockstad, Leif [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A4FB1F8930645EFA34FDFA7485BC6DA-LHOCKSTA]
Sent: 3/26/2021 1:53:15 PM
To: Shoaff, John [Shoaff.John@epa.gov]
Subject: FW: RFC endangerment review
Attachments: CEI RFC response letter.3.24.21.clean.docx

John –

Allison is out today but I wanted to make sure this didn't get lost in your inbox.

The ask is for a Joe "review" of this RFC response before Bob Talent/OMS send it to OMB. Upon completion of OMB review it will be sent back to us and only then will the request become "review and sign" for Joe.

So just a review to keep this very late response moving through the process.

Thanks
Leif

From: Crimmins, Allison <Crimmins.Allison@epa.gov>
Sent: Wednesday, March 24, 2021 11:30 AM
To: Shoaff, John <Shoaff.John@epa.gov>
Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>
Subject: RFC endangerment review

John, I need to send this updated response to an RFC (the endangerment one from a couple years back) to Joe for review before it goes to OMB. Unlike the previous RFC we just completed, which was more straightforward and only needed Joe's signature *after* the OMB review, this draft RFC response needs to first be reviewed by Joe. It has been approved by Chris Grundler and once reviewed by Joe will be sent to OMB for review. Upon return and any revisions, Joe would then need to sign that final version.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

-Allison

Allison Crimmins | Office of Air & Radiation Science Coordinator

Office of Air Policy & Program Support (OAPPS)

U.S. Environmental Protection Agency

WJC North 5442G | 202.343.9170 | crimmins.allison@epa.gov

Appointment

From: Tallent, Robert [Tallent.Robert@epa.gov]
Sent: 3/2/2021 1:28:25 PM
To: Tallent, Robert [Tallent.Robert@epa.gov]; Sheppard, Tracy [Sheppard.Tracy@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]; Williams, Melina [Williams.Melina@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]; Crimmins, Allison [Crimmins.Allison@epa.gov]
CC: Chalfant, Katherine [Chalfant.Katherine@epa.gov]; Scott, Austin [Scott.Austin@epa.gov]
Subject: RFC 19002 - Endangerment Finding Scoping Team
Attachments: RFC 19002_Endangerment Finding_Scoping Team Agenda_03082021.doc; rfc_19002_-_endangerment_cei.pdf; rfc_19002_-_3rd_party_-_murray_energy_support_for_rfc_0.pdf; multistate_ltr_re_cei_rfc_-_endgmt_finding_8.7.2019.pdf; edf_response_to_cei_iqua_rfc.pdf
Location: Microsoft Teams Meeting
Start: 3/8/2021 8:00:00 PM
End: 3/8/2021 9:00:00 PM
Show Time As: Tentative

Required Attendees: Sheppard, Tracy; Birnbaum, Rona; Sarofim, Marcus; Martinich, Jeremy; Williams, Melina; Hockstad, Leif; Crimmins, Allison
Optional Attendees: Chalfant, Katherine; Scott, Austin

RFC 19002 Scoping Team

In this meeting we will be reviewing the draft RFC response prior to sending to OMB for their review.

Thanks for all you do for Quality!

Bob

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Ex. 6 Personal Privacy (PP)

By participating in EPA hosted virtual meetings and events, you are consenting to abide by the agency's terms of use. In addition, you acknowledge that content you post may be collected and used in support of FOIA and eDiscovery activities.

[Learn More](#) | [Meeting options](#)

.....

Message

From: Idsal, Anne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B1BECA8121FB47A08E82B6BF2247A79B-IDSAL, ANNE]
Sent: 11/1/2019 1:45:01 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: Fwd: Murray Energy Request for Correction
Attachments: 7-30-19 Murray Energy IQA RFC.PDF; ATT00001.htm; Murray_RFC_10_15_19.clean.docx; ATT00002.htm

Any update on the CEI response? Thanks!

Sent from my iPhone

Begin forwarded message:

From: "Grundler, Christopher" <grundler.christopher@epa.gov>
Date: November 1, 2019 at 9:43:39 AM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>
Cc: "Gunning, Paul" <Gunning.Paul@epa.gov>, "Kocchi, Suzanne" <Kocchi.Suzanne@epa.gov>, "Harlow, David" <harlow.david@epa.gov>
Subject: Murray Energy Request for Correction

Anne,

As I mentioned in our one on one last Friday, we have been working with OGC and OMS on a response to the Murray Energy request for correction (RFC) on the agency's 2009 endangerment finding and technical support document for GHGs. Attached you will find OAP's recommended response along with the original Murray Energy RFC. Please note that this RFC largely reiterates many of the issues introduced by CEI in their RFC that was submitted back in May. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Schwab, Margo EOP/OMB [Ex. 6 Personal Privacy (PP)]
Sent: 9/20/2019 1:33:26 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
CC: Tallent, Robert [Tallent.Robert@epa.gov]
Subject: Re: draft response

Okay. [Ex. 5 Deliberative Process (DP)]

Sent from my iPhone

On Sep 20, 2019, at 8:49 AM, Kirby, Kevin <KIRBY.KEVIN@epa.gov> wrote:

Hi Margo,

I just wanted to provide you a 'heads-up'

[Ex. 5 Deliberative Process (DP)]

Ex. 5 Deliberative Process (DP)

Thanks!
Kevin

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Thursday, September 19, 2019 5:25 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Tallent, Robert <Tallent.Robert@epa.gov>
Subject: RE: draft response

Ok, will do! It's with our acting AA and her staff. I'm out tomorrow but will be checking my email for any movement on this front.
Thanks, Rona

From: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Sent: Thursday, September 19, 2019 5:14 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Tallent, Robert <Tallent.Robert@epa.gov>
Subject: RE: draft response

Hi Rona,
Just to ensure that we provide coverage in Quality Staff when this is ready for OMB, please forward the document to both Bob Tallent and me and we'll get it sent-off to OMB. Turn-around with OMB is typically less than a week unless they have questions (process improvement?)...
I'll keep my fingers crossed!
Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>

Sent: Thursday, September 19, 2019 9:42 AM

To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>

Subject: draft response

Hi Kevin,

Ex. 5 Deliberative Process (DP)

Thanks, Rona

Message

From: Eagles, Tom [Eagles.Tom@epa.gov]
Sent: 5/15/2019 7:49:00 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

I just sent you a voicemail on this.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

If that doesn't work, let me

know.

From: Kirby, Kevin
Sent: Wednesday, May 15, 2019 3:24 PM
To: Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>
Cc: Schenk, Ruth <schenk.ruth@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Colleagues,

A new Request for Correction (RFC #19002) was submitted this week under the Agency's Information Quality Guidelines which challenges the 2009 GHG Endangerment Finding; information that your office may have disseminated. I've included a link below to the RFC and related artifacts.

Ex. 6 Personal Privacy (PP) - SharePoint Link

Here's the folder that Kirby, Kevin shared with you.



This link will work for anyone in Environmental Protection Agency (EPA).



RFC 19002 - Endangerment Finding

Open

At this early juncture,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin **On Behalf Of** Quality
Sent: Tuesday, May 14, 2019 11:05 AM
To: 'Devin Watkins' <Devin.Watkins@cei.org>
Cc: Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Dear Mr. Watkins,

Thanks you for your submittal of a request for correction regarding information the Agency disseminated concerning the 2009 GHG Endangerment Finding and supporting Technical Support Document.

In accordance with EPA's Information Quality Guidelines (IQGs), we are assigning a unique tracking number to your request: **RFC #19002**. Please use this number in all future correspondence to the Agency concerning this request. Our target due date to provide you with a response or a status update is Sept. 18, 2019, which is 90 business days from the date you submitted your request.

We appreciate your attention to quality information!

EPA Quality Staff

From: Devin Watkins <Devin.Watkins@cei.org>
Sent: Monday, May 13, 2019 11:26 AM
To: Quality <Quality@epa.gov>
Subject: Request for Correction Concerning 2009 Endangerment Finding

Dear Vincia Holloman and Information Quality Guidelines Processing Staff,

Please see attached for the Request for Correction that we are hereby submitting under the Information Quality Act.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor
Washington, DC 20005
202-331-2278

Message

From: Eagles, Tom [Eagles.Tom@epa.gov]
Sent: 5/16/2019 2:37:27 PM
To: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Hey Kevin -- Our OAP folks have talked this over, and they have designated Rona Birnbaum as your contact for this effort. Rona's phone number is Ex. 6 Personal Privacy (PP)

- Tom Eagles

From: Kirby, Kevin
Sent: Wednesday, May 15, 2019 3:24 PM
To: Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>
Cc: Schenk, Ruth <schenk.ruth@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: FW: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Colleagues,

A new Request for Correction (RFC #19002) was submitted this week under the Agency's Information Quality Guidelines which challenges the 2009 GHG Endangerment Finding; information that your office may have disseminated. I've included a link below to the RFC and related artifacts.

Ex. 6 Personal Privacy (PP) - SharePoint Link

Here's the folder that Kirby, Kevin shared with you.



This link will work for anyone in Environmental Protection Agency (EPA).



RFC 19002 - Endangerment Finding

Open

At this early juncture,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kevin

Kevin J. Kirby
Enterprise Data Architect
US Environmental Protection Agency

OEI/OEIP/EQMD
202 566-1656 desk

From: Kirby, Kevin **On Behalf Of** Quality
Sent: Tuesday, May 14, 2019 11:05 AM
To: 'Devin Watkins' <Devin.Watkins@cei.org>
Cc: Holloman, Vincia <Holloman.Vincia@epa.gov>
Subject: RE: Request for Correction (RFC #19002) Concerning 2009 Endangerment Finding

Dear Mr. Watkins,

Thanks you for your submittal of a request for correction regarding information the Agency disseminated concerning the 2009 GHG Endangerment Finding and supporting Technical Support Document.

In accordance with EPA's Information Quality Guidelines (IQGs), we are assigning a unique tracking number to your request: **RFC #19002**. Please use this number in all future correspondence to the Agency concerning this request. Our target due date to provide you with a response or a status update is Sept. 18, 2019, which is 90 business days from the date you submitted your request.

We appreciate your attention to quality information!
EPA Quality Staff

From: Devin Watkins <Devin.Watkins@cei.org>
Sent: Monday, May 13, 2019 11:26 AM
To: Quality <Quality@epa.gov>
Subject: Request for Correction Concerning 2009 Endangerment Finding

Dear Vincia Holloman and Information Quality Guidelines Processing Staff,

Please see attached for the Request for Correction that we are hereby submitting under the Information Quality Act.

Sincerely,

Devin Watkins
Competitive Enterprise Institute
1310 L St. N.W., 7th Floor
Washington, DC 20005
202-331-2278

Message

From: Kirby, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CBB65672F6F34545BE460A66FF6FA969-KIRBY, KEVIN]
Sent: 11/19/2019 8:26:29 PM
To: Chalfant, Katherine [Chalfant.Katherine@epa.gov]; Wells, Jeffrey [Wells.jeffrey@epa.gov]
CC: Gonder, Sharon [Gonder.Sharon@epa.gov]
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

This is a draft response **Ex. 5 Deliberative Process (DP)** EQMD is managing through the IQG process. This request challenges the "endangerment finding" as expressed and presented by the Intergovernmental Panel on Climate Change (IPCC). **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP) This has been stalled in the OAR IO for about two months.

As recently as yesterday (Nov. 18) **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

It's great to see this moving again!

Kevin

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Tuesday, November 19, 2019 10:20 AM
To: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Hi Jeff - - This certainly belongs to us. I'm forwarding this and including Kevin on this email so he can look into it.

Kevin - - Please take action and provide an update prior to the end of the week.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6340 D)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511

Ex. 6 Personal Privacy (PP) - Cell Phone

chalfant.katherine@epa.gov

From: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Sent: Tuesday, November 19, 2019 10:00 AM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Cc: Gonder, Sharon <Gonder.Sharon@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Ex. 5 Deliberative Process (DP)

From: Zeckman, David <zeckman.david@epa.gov>
Sent: Tuesday, November 19, 2019 9:24 AM
To: Grimm, Patrick <Grimm.Patrick@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Pat,

OP passed this request-for-correction to me and asked me to follow-up. It is my **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks and let me know if I can help in anyway.

Regards,

David Zeckman
Associate Deputy Assistant Administrator
Office of Mission Support
Environmental Protection Agency
(202) 564-7623

Begin forwarded message:

From: "Woods, Clint" <woods.clint@epa.gov>
Date: September 19, 2019 at 4:18:15 PM EDT
To: "Idsal, Anne" <idsal.anne@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Harlow, David" <harlow.david@epa.gov>, "Dominguez, Alexander" <dominguez.alexander@epa.gov>, "Schwab, Justin" <Schwab.Justin@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Thursday, September 19, 2019 4:17 PM
To: Woods, Clint <woods.clint@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP) - Cell Phone

From: Grundler, Christopher
Sent: Wednesday, September 11, 2019 8:32 PM
To: Idsal, Anne <idsal.anne@epa.gov>
Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Kirby, Kevin [KIRBY.KEVIN@EPA.GOV]
Sent: 7/26/2019 9:09:32 PM
To: Eagles, Tom [Eagles.Tom@epa.gov]
Subject: Re: Kirby, Kevin shared the folder "RFC 19002 - Endangerment Finding" with you.

Happy to include 'em.

Kjk

From: Eagles, Tom <Eagles.Tom@epa.gov>
Sent: Thursday, July 25, 2019 4:06:30 PM
To: Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>
Cc: Hockstad, Leif <Hockstad.Leif@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>
Subject: RE: Kirby, Kevin shared the folder "RFC 19002 - Endangerment Finding" with you.

Kevin -- Could you please send this directly to Leif Hockstad and Allison Crimmins, so they can open the link? Also, in the future, please include both of them on communications on this topic. Thanks!

From: Kirby, Kevin
Sent: Thursday, July 25, 2019 3:41 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>; Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Williams, Melina <Williams.Melina@epa.gov>; Sheppard, Tracy <Sheppard.Tracy@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>; Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: Kirby, Kevin shared the folder "RFC 19002 - Endangerment Finding" with you.

Colleagues,

Here is the OneDrive folder I established as our reference 'sand box' in developing the response to this Request for Correction challenging the GHG Endangerment Finding. I have included a copy of the submitted RFC as well as an excellent response example developed by our colleagues in the IRIS Program responding to an RFC dealing with the toxicological value of chloroprene. If any question arise, don't hesitate to call or email me! Kevin



This link only works for the direct recipients of this message.



RFC 19002 - Endangerment Finding

Open



Microsoft respects your privacy. To learn more, please read our [Privacy Statement](#).
Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

Message

From: Birnbaum, Rona [Birnbaum.Rona@epa.gov]
Sent: 11/18/2019 9:10:26 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act
Attachments: 11-18-2019 CEI Letter OAR Edits.docx; ATT00001.htm; 11-18-2019 Redline CEI Letter dsl.docx; ATT00002.htm

Let's please have a look and a quick conversation to review

From: Gunning, Paul <Gunning.Paul@epa.gov>
Sent: Monday, November 18, 2019 4:08 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Cc: Sarofim, Marcus <Sarofim.Marcus@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Ex. 5 Deliberative Process (DP) Lets try and turn this around quickly.

Thanks

Paul

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Monday, November 18, 2019 3:58 PM
To: Gunning, Paul <Gunning.Paul@epa.gov>
Cc: Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>
Subject: Fwd: Draft Response to CEI's "Request for Correction" under Information Quality Act

I can't read redline on my phone. Pls review and loop in OGC. Let me know nature if edits. Thx

Sent from my iPhone

Begin forwarded message:

From: "Cory, Preston" <Cory.Preston@epa.gov>
Date: November 18, 2019 at 8:32:00 PM GMT+1
To: "Harlow, David" <harlow.david@epa.gov>, "Grunder, Christopher" <grundler.christopher@epa.gov>
Subject: RE: Draft Response to CEI's "Request for Correction" under Information Quality Act

Chris,

Please find the attached CEI letter with OAR edits incorporated (also a redline copy) **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) Please see the comment, and let us know what your thoughts are, if any. Ideally, we can get this finalized in the next day or so.

Thanks,
Preston

From: Harlow, David <harlow.david@epa.gov>
Sent: Wednesday, November 13, 2019 6:21 PM

To: Cory, Preston <Cory.Preston@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Preston,

As you'll see, this was circulated before you were back on board, which is why you never got a copy.

David S. Harlow

Senior Counsel

Immediate Office of the Acting Assistant Administrator

Office of Air and Radiation, USEPA

WJC-N Room 5409K

1200 Pennsylvania Avenue NW

Washington, DC 20460

202-564-1233

Harlow.David@epa.gov

From: Woods, Clint <woods.clint@epa.gov>

Sent: Thursday, September 19, 2019 4:18 PM

To: Idsal, Anne <idsal.anne@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Harlow, David <harlow.david@epa.gov>; Dominguez, Alexander <dominguez.alexander@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

From: Grundler, Christopher <grundler.christopher@epa.gov>

Sent: Thursday, September 19, 2019 4:17 PM

To: Woods, Clint <woods.clint@epa.gov>

Subject: FW: Draft Response to CEI's "Request for Correction" under Information Quality Act

Here you go

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343-9140 (Washington, DC)

Ex. 6 Personal Privacy (PP)

From: Grundler, Christopher

Sent: Wednesday, September 11, 2019 8:32 PM

To: Idsal, Anne <idsal.anne@epa.gov>

Cc: Harlow, David <harlow.david@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>

Subject: Draft Response to CEI's "Request for Correction" under Information Quality Act

Anne,

You might recall a few week's ago I mentioned we were working with OGC and OMS on a response to a CEI request for correction on the agency's 2009 endangerment finding and technical support document for ghg's. Attached you will find OAP's recommended response. As outlined in OMB guidance, the draft provides a point-by-point response to each issue raised by CEI. This draft reflects review and input from OGC and OMS at the staff level.

As a next step, our plan is to forward the response to OMS next Wednesday (September 18th). OMS will then share it with OMB for further review. Signature by either yourself or by Betsy would occur after OMB review is complete.

Please let me know if you have any questions or comments.

Thanks,

Chris

Message

From: Noga, Vaughn [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8B74EFE6BCB46B8B180DFBF5CA4AD7-NOGA, VAUGHN]
Sent: 2/2/2021 5:27:09 PM
To: Henderson, Austin [Henderson.Austin@epa.gov]; Alvarado, David [alvarado.david@epa.gov]
CC: Collard, Erin [Collard.Erin@epa.gov]; Saunders-Gadri, Linda [Saunders-Gadri.Linda@epa.gov]
Subject: RE: APPROVAL REQUESTED- FW: IQGs - Request Your Assistance Follow-Up

Let me check

From: Henderson, Austin <Henderson.Austin@epa.gov>
Sent: Tuesday, February 2, 2021 12:22 PM
To: Alvarado, David <alvarado.david@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Cc: Collard, Erin <Collard.Erin@epa.gov>; Saunders-Gadri, Linda <Saunders-Gadri.Linda@epa.gov>
Subject: RE: APPROVAL REQUESTED- FW: IQGs - Request Your Assistance Follow-Up

Vaughn,

I scanned my email and have not seen any responses, unfortunately, we do not have access to your email.

Austin W. Henderson Jr.

Sr. Special Assistant to the Chief Information Officer

Office of Mission Support, U.S. Environmental Protection Agency

Henderson.austin@epa.gov | O)202-564-7818; Ex. 6 Personal Privacy (PP) | WJC North 5304E

Mailing Address: 1200 Pennsylvania Avenue, NW, Washington, DC 20460

From: Alvarado, David <alvarado.david@epa.gov>
Sent: Tuesday, February 2, 2021 12:20 PM
To: Henderson, Austin <Henderson.Austin@epa.gov>; Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Cc: Collard, Erin <Collard.Erin@epa.gov>; Saunders-Gadri, Linda <Saunders-Gadri.Linda@epa.gov>
Subject: RE: APPROVAL REQUESTED- FW: IQGs - Request Your Assistance Follow-Up

I do not.

From: Henderson, Austin <Henderson.Austin@epa.gov>
Sent: Tuesday, February 2, 2021 12:19 PM
To: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Cc: Collard, Erin <Collard.Erin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Saunders-Gadri, Linda <Saunders-Gadri.Linda@epa.gov>
Subject: RE: APPROVAL REQUESTED- FW: IQGs - Request Your Assistance Follow-Up

Vaughn,

I do not have access to your email.

Linda, David do you have access to see Vaughn's email?

Austin W. Henderson Jr.

Sr. Special Assistant to the Chief Information Officer

Office of Mission Support, U.S. Environmental Protection Agency

Henderson.austin@epa.gov | O)202-564-7818; Ex. 6 Personal Privacy (PP) | WJC North 5304E

Mailing Address: 1200 Pennsylvania Avenue, NW, Washington, DC 20460

From: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Sent: Tuesday, February 2, 2021 12:14 PM
To: Henderson, Austin <Henderson.Austin@epa.gov>
Cc: Collard, Erin <Collard.Erin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Saunders-Gadri, Linda <Saunders-Gadri.Linda@epa.gov>
Subject: RE: APPROVAL REQUESTED- FW: IQGs - Request Your Assistance Follow-Up

I haven't sen any, but I haven't looked either. Can you scan my email to see if I missed something?

From: Henderson, Austin <Henderson.Austin@epa.gov>
Sent: Tuesday, February 2, 2021 12:12 PM
To: Noga, Vaughn <Noga.Vaughn@EPA.GOV>
Cc: Collard, Erin <Collard.Erin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Saunders-Gadri, Linda <Saunders-Gadri.Linda@epa.gov>
Subject: APPROVAL REQUESTED- FW: IQGs - Request Your Assistance Follow-Up

Vaughn,

Have you heard of a response to either of the previous two emails that we sent out on January 14, 2021 reference the below? We nor OEIP have seen a response as of yet. If you have not, we have follow up emails prepared for your approval.

<i>IQG ID</i>	<i>Topic</i>	<i>Information Owner</i>	<i>Date Received</i>	<i>Days Active</i>	<i>Status / Action Needed</i>
RFR 16002A	Ethylene Dichloride (EDC)	OCSP	8/22/2019	521	No response at staff level / Please contact DAA
RFR 17002A	Chloroprene	ORD	9/20/2018	919	Peer Review complete. Scheduling Scoping Team to begin RFR process.
RFC 19002	Greenhouse Gas Endangerment Finding	OAR	5/13/2019	626	Held up in OAR IO Please contact DAA
RFC 21001	Greenhouse Effect	OAR	10/20/2020	100	Draft response in OAR mgmt. Need to send to OMB for comment.

Active as of January 28, 2021

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Friday, January 29, 2021 11:04 AM
To: Collard, Erin <Collard.Erin@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: IQGs - Request Your Assistance Follow-Up

Hi Erin, David and Austin – Below is a status update for the open IQG Request for Correction (RFC) and Request for Reconsideration (RFR). We at EQMD have not seen or heard of a response to either of the previous two emails that Vaughn sent on January 14, 2021. Have you received any responses?

If there have been no responses to the previous emails, we have prepared follow-up emails for Vaughn so he can reach out to his counterparts in OAR and OCSPP to ask their assistance in moving the long overdue RFC and RFR to resolution.

Please note there are **two emails** below which we would like him to send. We included the ORD Chloroprene RFR on the table for completeness. However,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Below is a table showing the current status of our open IQG Requests. As you know we have 120-day turn-around time with our RFCs and RFRs which depends on the engagement of the respective information owners. We'd appreciate your assistance in contacting your counterpart for the IQG cases RFR 16002A and RFC 19002 shown below as they are long overdue. **RFC 21001 is now in danger of missing the 120-day goal.** The draft RFC response needs to be sent to OMB for review, but it has been with OAR management since before Christmas. RFC 21001 is a simple RFC scientifically and easy to resolve. It is not necessary to send ORD an email as RFR 17002A as a Scoping Team has convened and started the RFR process again.

<i>IQG ID</i>	<i>Topic</i>	<i>Information Owner</i>	<i>Date Received</i>	<i>Days Active</i>	<i>Status / Action Needed</i>
RFR 16002A	Ethylene Dichloride (EDC)	OCSPP	8/22/2019	521	No response at staff level / Please contact DAA
RFR 17002A	Chloroprene	ORD	9/20/2018	919	Peer Review complete. Scheduling Scoping Team to begin RFR process.
RFC 19002	Greenhouse Gas Endangerment Finding	OAR	5/13/2019	626	Held up in OAR IO Please contact DAA
RFC 21001	Greenhouse Effect	OAR	10/20/2020	100	Draft response in OAR mgmt. Need to send to OMB for comment.

Active as of January 28, 2021

Points of Contact:

OCSPP – David Fischer, DAA (202) 564-2665

- Angela Hofmann, IQG Contact (202) 564-0258

- CarolAnn Siciliano, (202) 564-5489, including as a cc: as she has been helpful in the past

OAR – Betsy Shaw, DAA (202) 564-1447

- Allison Crimmins, IQG Contact (202) 343-9170

Please let me know I if you have any questions.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511

Ex. 6 Personal Privacy (PP)



Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Hartin, Corinne [Hartin.Corinne@epa.gov]
Sent: 5/17/2021 11:46:42 PM
To: Sarofim, Marcus [Sarofim.Marcus@epa.gov]
Subject: RE: petition document ready for someone else to review it

Wow. Thank you so much for tackling this first draft.

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Monday, May 17, 2021 5:26 PM
To: Martinich, Jeremy <Martinich.Jeremy@epa.gov>; Hartin, Corinne <Hartin.Corinne@epa.gov>
Cc: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: petition document ready for someone else to review it

Hi all,

I've created a new petition response document – see:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

The structure is as follows:

Ex. 5 Deliberative Process (DP)

It is on Teams, so any of you can go in... I don't know if Rona wants to take a quick look to determine strategy, or wait until Corinne & Jeremy clean the document up a bit first.

Thanks!

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: 8/7/2019 2:47:01 PM
To: Birnbaum, Rona (Birnbaum.Rona@epa.gov) [Birnbaum.Rona@epa.gov]
CC: Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: RE: updated CEI RFC draft, including Murray placeholder
Attachments: CEI_RFC_8_6_19.docx

Another updated draft, **Ex. 5 Deliberative Process (DP)**

-Marcus

From: Sarofim, Marcus
Sent: Tuesday, August 06, 2019 6:16 PM
To: Birnbaum, Rona (Birnbaum.Rona@epa.gov) <Birnbaum.Rona@epa.gov>
Cc: Martinich, Jeremy <Martinich.Jeremy@epa.gov>
Subject: updated CEI RFC draft, including Murray placeholder

See attached for some edits & updates, and **Ex. 5 Deliberative Process (DP)**

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: 2/19/2021 4:52:39 PM
To: Birnbaum, Rona (Birnbaum.Rona@epa.gov) [Birnbaum.Rona@epa.gov]
Subject: FW: CEI RFC response
Attachments: CEI letter.2.1.21.docx

Is this what you were looking for?

Ex. 6 Personal Privacy (PP)

-Marcus

From: Sarofim, Marcus
Sent: Wednesday, February 03, 2021 2:10 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: CEI RFC response

Hi Rona,

See attached for my take on including the third party correspondences.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks,

-Marcus

From: Sarofim, Marcus
Sent: Monday, February 01, 2021 4:26 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: CEI RFC response

I have all the stuff. I've already started drafting a paragraph on this, and

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, February 01, 2021 4:23 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: RE: CEI RFC response

That's something we'll need to confer with EQMD folks on.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Do you happen to have the incomings handy? I'm also in the process of asking Lisa to create an official branch folder for these RFCs.

From: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Sent: Monday, February 01, 2021 4:18 PM
To: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: RE: CEI RFC response

Ex. 5 Deliberative Process (DP)

-Marcus

From: Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Sent: Monday, February 01, 2021 4:12 PM
To: Sarofim, Marcus <Sarofim.Marcus@epa.gov>
Subject: CEI RFC response

Marcus, for this response, I spoke with Paul and

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

We also need to change the signature name.

We'll need to run it back through the group process to have another look.

Thanks, Rona

Message

From: Sarofim, Marcus [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: 8/6/2019 7:21:40 PM
To: Martinich, Jeremy [Martinich.Jeremy@epa.gov]; Birnbaum, Rona (Birnbaum.Rona@epa.gov) [Birnbaum.Rona@epa.gov]
Subject: CEI RFC two pager
Attachments: CEI_RFC_twopager.docx

Jeremy, Rona, here's the updated two pager to go to Paul early next week,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: 8/6/2019 4:22:44 PM
To: Birnbaum, Rona (Birnbaum.Rona@epa.gov) [Birnbaum.Rona@epa.gov]
Subject: updated CEI RFC two pager
Attachments: CEI_RFC_onepager.docx

now including a brief process summary.

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: 7/18/2019 3:57:28 PM
To: Martinich, Jeremy [Martinich.Jeremy@epa.gov]; Birnbaum, Rona (Birnbaum.Rona@epa.gov) [Birnbaum.Rona@epa.gov]
Subject: first stab at CEI response drafting
Attachments: CEI_RFC_notes.docx

See attached for a very rough draft of a response to CEI. We can flesh it out when we get a template and more guidance from Kevin Kirby,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Sarofim, Marcus [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8557A127AC804A9DBB76E8B726EABA09-SAROFIM, MARCUS]
Sent: 8/26/2019 5:46:09 PM
To: Williams, Melina [Williams.Melina@epa.gov]
CC: Birnbaum, Rona (Birnbaum.Rona@epa.gov) [Birnbaum.Rona@epa.gov]; Martinich, Jeremy [Martinich.Jeremy@epa.gov]
Subject: CEI Request for Correction review
Attachments: CEI_RFC_8_26_19_clean.docx

Hi Melina,

We've made a number of changes since the last version of the RFC response that you reviewed, and thought you might like to review this version. A couple notes:

- 1) This is still staff-level review, we haven't shared with OMS yet
- 2) **Ex. 5 Deliberative Process (DP)** so we'll start drafting that, with the CEI response as an attachment

I hope you had a good vacation, and we recognize that it might take you a bit to get to this as you are probably digging out from under a large pile of requests for your attention,

-Marcus

Marcus C. Sarofim, PhD
phone: 202-343-9993
WJC East 4410M
Environmental Scientist
Climate Science & Impacts Branch

Message

From: Shoaff, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC16FB09CF2C44ADB34A7405DC331532-JSHOAFF]
Sent: 2/2/2021 6:18:03 PM
To: Shaw, Betsy [Shaw.Betsy@epa.gov]
Subject: FW: Status: Response to Request for Corrections under the Data Quality Act
Attachments: RFC_summaries.1.29.21.docx

FYI

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460-115A
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | **Ex. 6 Personal Privacy (PP)**

From: Grundler, Christopher <grundler.christopher@epa.gov>
Sent: Friday, January 29, 2021 2:49 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Gunning, Paul <Gunning.Paul@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>
Subject: Status: Response to Request for Corrections under the Data Quality Act

Joe - I just wanted to follow up on our conversation at our one on one about the two outstanding RFCs we have in OAP | **Ex. 5 Deliberative Process (DP)**

As promised, attached is the one pager that provides a summary of the two RFCs and our response, and a refresher on the process. We are reviewing and updating the responses, and will plan on working with John Shoaff and his staff for OAR review, and then on to the Office of Mission Support (OMS) to clear and get our draft responses over to OMB for review. After review, they come back to us to review any OMB comments, and then to you for signature.

Ex. 5 Deliberative Process (DP)

Thanks

Chris

Christopher Grundler, Director
Office of Atmospheric Programs
U.S. Environmental Protection Agency
202.343.9140 (o)
Ex. 6 Personal Privacy (PP)

Message

From: Shoaff, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC16FB09CF2C44ADB34A7405DC331532-JSHOAFF]
Sent: 4/2/2021 3:43:55 PM
To: Goffman, Joseph [Goffman.Joseph@epa.gov]
CC: Ann Campbell (Campbell.Ann@epa.gov) [Campbell.Ann@epa.gov]; Kim, Eun [Kim.Eun@epa.gov]
Subject: FW: RFC for Joe's review en route to OMS-OMB before returning for final review and signature
Attachments: CEI RFC response letter.3.24.21.clean.docx

Joe,

Here's the RFC response letter. Just need your review and OK to pass to OMS who will send to OMB. It'll come back to you for signature thereafter. Thanks!

John

JOHN SHOAFF (HE/HIM/HIS) | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | Ex. 6 Personal Privacy (PP)

From: Shoaff, John
Sent: Tuesday, March 30, 2021 5:37 PM
To: Goffman, Joseph <Goffman.Joseph@epa.gov>
Cc: Kim, Eun <Kim.Eun@epa.gov>; Ann Campbell (Campbell.Ann@epa.gov) <Campbell.Ann@epa.gov>
Subject: FW: RFC for Joe's review en route to OMS-OMB before returning for final review and signature

Joe,

With apologies for adding even more material to your inbox or review folder, here is a draft response letter courtesy of OAP and per a somewhat dated CEI Request for Correction (RFC) on our 2009 Endangerment Finding under the Info. Quality Act.

Please note that this is only at a "review" phase so just need your green light to let it continue on its way.

Next step is for OMS (they manage the RFC process for the Agency) to send it to OMB. Upon completion of OMB review it will come back to us and then we'll need your John Hancock on it.

Thanks!

John

JOHN SHOAFF (HE/HIM/HIS) | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT | Ex. 6 Personal Privacy (PP)

Message

From: Shaw, Betsy [Shaw.Betsy@epa.gov]
Sent: 2/2/2021 6:19:05 PM
To: Shoaff, John [Shoaff.John@epa.gov]
Subject: RE: IQGs - Request Your Assistant Follow-Up

Thanks John!

From: Shoaff, John <Shoaff.John@epa.gov>
Sent: Tuesday, February 2, 2021 1:17 PM
To: Shaw, Betsy <Shaw.Betsy@epa.gov>
Subject: RE: IQGs - Request Your Assistant Follow-Up

Lest I'm misremembering, think I saw something from Chris to Joe on at least the more recent one already. Let me try to find and will pass asap. Thx.

JOHN SHOAFF | DIRECTOR
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA
Shoaff.John@epa.gov | 1-202-564-0531 DIRECT

Ex. 6 Personal Privacy (PP)

From: Shaw, Betsy <Shaw.Betsy@epa.gov>
Sent: Tuesday, February 2, 2021 1:16 PM
To: Shoaff, John <Shoaff.John@epa.gov>
Subject: FW: IQGs - Request Your Assistant Follow-Up

Yikes. We need to consult with Joe about this.

From: Henderson, Austin <Henderson.Austin@epa.gov> **On Behalf Of** Noga, Vaughn
Sent: Tuesday, February 2, 2021 1:15 PM
To: Shaw, Betsy <Shaw.Betsy@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Crimmins, Allison <Crimmins.Allison@epa.gov>; Collard, Erin <Collard.Erin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>
Subject: IQGs - Request Your Assistant Follow-Up

Betsy,

This email follows up on the email I sent to you on January 14, 2021. To date I have not received a response as to how you wish to proceed in resolving the below two Request for Correction (RFC) submissions. We have 120-day turn-around time for an RFC mandated by OMB. This relies heavily on the engagement of the respective information owners.

You have RFC 21001 – Greenhouse Effect. Your staff has been actively working this and a draft response has been with your management for review since before Christmas. We need your management to release the draft response so that we can send it to OMB for their review. EPA has had this RFC for 100 days now. The OMB review must happen before EPA can send a final response to the requestor. That may put it over the 120-day target.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I'd also appreciate your assistance in resolving the IQG case RFC 19002 – Greenhouse Gas Endangerment Finding shown below as it is long overdue. **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

<i>IQG ID</i>	<i>Topic</i>	<i>Information Owner</i>	<i>Date Received</i>	<i>Days Active</i>	<i>Status / Action Needed</i>
RFC 19002	Greenhouse Gas Endangerment Finding	OAR	5/13/2019	626	Held up in OAR IO
RFC 21001	Greenhouse Effect	OAR	10/20/2020	100	Draft response in OAR mgmt. Need to send to OMB for comment.

Active as of January 28, 2021

Thanks for your help,

Vaughn Noga, Chief Information Officer
and Deputy Assistant Administrator for Environmental Information
Office of Mission Support
U.S. Environmental Protection Agency
1200 Pennsylvania Ave
Washington DC 20460

Message

From: Tallent, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5E37839F989C407E872887B4F0CF11C5-TALLENT, RO]
Sent: 1/14/2021 8:01:04 PM
To: Collard, Erin [Collard.Erin@epa.gov]
Subject: RE: IQGs - Request Your Assistance

Thanks Erin,

Know that your good mentoring is paying off as your mentee is hard at work in the background cranking all of this stuff out. 😊

BTW, Love all of your FB pictures. Especially your ability to take your cat for a walk.

Stay safe and well my friend.

Bob

Robert G. Tallent, D.Sc., PMP
US Environmental Protection Agency
Office of Environmental Information
Office of Enterprise Information Programs
Enterprise Quality Management Division (2821T)
WJC West, 6416U
1200 Pennsylvania Ave., NW (MC-2821T)
Washington, DC 20460
Phone: 202 564-6809
tallent.robert@epa.gov

Life is either a daring adventure...or nothing. H. Keller



From: Collard, Erin <Collard.Erin@epa.gov>
Sent: Thursday, January 14, 2021 2:57 PM
To: Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>
Subject: RE: IQGs - Request Your Assistance

Thank you, Katherine. I will make sure we get these out tomorrow.

Erin L Collard

Associate Deputy Assistant Administrator for Environmental Information
Environmental Protection Agency, Office of Mission Support

Collard.erin@epa.gov

202-566-2655 (office)

Ex. 5 Personal Privacy (PP) - Cell (mobile)

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Sent: Thursday, January 14, 2021 1:51 PM

To: Collard, Erin <Collard.Erin@epa.gov>; Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>

Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Tallent, Robert <Tallent.Robert@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>

Subject: IQGs - Request Your Assistance

Hi Erin, David and Austin – Below is a status update for the open IQG Request for Correction (RFC) and Request for Reconsideration (RFR). Erin

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please note there are

two emails below which we would like him to send. We included the ORD Chloroprene RFR on the table for completeness. However,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Below is a table showing the current status of our open IQG Requests. As you know we have 120-day turn-around time with our RFCs and RFRs which depends on the engagement of the respective information owners. We'd appreciate your assistance in contacting your counterpart for the IQG cases RFR 16002A and RFC 19002 shown below as they are long overdue. It is not necessary to send ORD an email as RFR 17002A is about to reconvene a Scoping Team and start the RFR process again.

<i>IQG ID</i>	<i>Topic</i>	<i>Information Owner</i>	<i>Date Received</i>	<i>Days Active</i>	<i>Status / Action Needed</i>
RFR 16002A	Ethylene Dichloride (EDC)	OCSPP	8/22/2019	507	No response at staff level / Please contact DAA
RFR 17002A	Chloroprene	ORD	9/20/2018	905	Peer Review complete. Scheduling Scoping Team to begin RFR process.
RFC 19002	Greenhouse Gas Endangerment Finding	OAR	5/13/2019	612	Held up in OAR IO Please contact DAA
RFC 21001	Greenhouse Effect	OAR	10/20/2020	86	Draft response in OAR mgmt. Need to send to OMB for comment.

Active as of January 14, 2021

Points of Contact:

OCSPP – David Fischer, DAA (202) 564-2665

- Angela Hofmann, IQG Contact (202) 564-0258

OAR – Betsy Shaw, DAA (202) 564-1447

- Allison Crimmins, IQG Contact (202) 343-9170

Please let me know if you have any questions.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP) - Cell



Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Henderson, Austin [Henderson.Austin@epa.gov]
Sent: 7/13/2020 1:21:08 PM
To: Wells, Jeffrey [Wells.jeffrey@epa.gov]
CC: Alvarado, David [alvarado.david@epa.gov]
Subject: FW: EPA's FY 2019 Information Quality Act Data Report - Request CIO Approves and Issues this Report to OMB
Attachments: FY19_EPA_IQG_Report_07132020.xlsx; FY19 - MEMORANDUM FOR INFORMATION QUALITY DATA CALL 6-8-2020.docx

Jeff,
This is FYI. I included Pat, but I see he is out of the office.

Take care,

Austin W. Henderson Jr.

Sr. Special Assistant to the Chief Information Officer

Office of Mission Support, U.S. Environmental Protection Agency

Henderson.austin@epa.gov | O)202-564-7818; M) Ex. 5 Personal Privacy (PP) - Call WJC North 5304E

Mailing Address: 1200 Pennsylvania Avenue, NW, Washington, DC 20460

From: Henderson, Austin
Sent: Monday, July 13, 2020 9:19 AM
To: Gentile, Laura <Gentile.Laura@epa.gov>
Cc: Chalfant, Katherine <Chalfant.Katherine@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Erin Collard <Collard.Erin@epa.gov>; David Alvarado (alvarado.david@epa.gov) <alvarado.david@epa.gov>
Subject: FW: EPA's FY 2019 Information Quality Act Data Report - Request CIO Approves and Issues this Report to OMB

Good morning Laura,

Ex. 5 Deliberative Process (DP)

V/R

Austin W. Henderson Jr.

Sr. Special Assistant to the Chief Information Officer

Office of Mission Support, U.S. Environmental Protection Agency

Henderson.austin@epa.gov | O)202-564-7818; M) Ex. 5 Personal Privacy (PP) - Call WJC North 5304E

Mailing Address: 1200 Pennsylvania Avenue, NW, Washington, DC 20460

From: Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Sent: Monday, July 13, 2020 7:36 AM
To: Henderson, Austin <Henderson.Austin@epa.gov>; Alvarado, David <alvarado.david@epa.gov>
Cc: Wells, Jeffrey <Wells.jeffrey@epa.gov>; Grimm, Patrick <Grimm.Patrick@epa.gov>; Collard, Erin <Collard.Erin@epa.gov>; Thoma, Connie <Thoma.Connie@epa.gov>; Chalfant, Katherine <Chalfant.Katherine@epa.gov>
Subject: EPA's FY 2019 Information Quality Act Data Report - Request CIO Approves and Issues this Report to OMB

Hi Austin -

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions.

Thank you!

Katherine

Katherine Chalfant
U.S. Environmental Protection Agency
Acting Director, Enterprise Quality Management Division
Office of Enterprise Information Programs, WJCW (6408 A)
Office of Environmental Information
1200 Pennsylvania Ave, NW
Washington, DC 20460
Phone: (202) 564-1511
Cell: Ex. 6 Personal Privacy (PP) - Cell



Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)